

Thesis
A Historical Study of the American
Newspaper Guild Particularly as
Exemplified in Boston

Lovell

Lovell 1949



BOSTON UNIVERSITY
LIBRARIES



Public Relations
and
Communications
Library



BOSTON UNIVERSITY

School of Public Relations

Thesis

A HISTORICAL STUDY OF THE AMERICAN NEWSPAPER GUILD
PARTICULARLY AS EXEMPLIFIED IN BOSTON

BY

JOSEPH WARREN LOVELL, JR.

(A.B., Dartmouth College, 1947)

Submitted in partial fulfilment of the
requirements for the degree of

Master of Science

1949

Approved

by

First Reader. *Dorothy Speare*.....
Professor of *Creative Writing*

Second Reader. *Donald B. Willard*.....
Professor of



Digitized by the Internet Archive
in 2016

<https://archive.org/details/historicalstudyo00love>

TABLE OF CONTENTS

| CHAPTER | PAGE |
|--|------|
| I. THE PURPOSE OF THE STUDY..... | 1 |
| Importance of the study | |
| II. CONDITIONS ON NEWSPAPERS PRIOR TO THE AMERICAN NEWSPAPER GUILD..... | 4 |
| Guild Predecessors..... | 5 |
| Need for Guild..... | 7 |
| National Industrial Recovery Act..... | 9 |
| Publisher's Code..... | 12 |
| III. BIRTH OF THE GUILD..... | 15 |
| Formal Organization of Guild..... | 16 |
| Reasons For Joining..... | 20 |
| Objectives of Guild..... | 21 |
| Publishers' Reaction to the Guild..... | 23 |
| IV. GUILD BECOMES A TRADE UNION..... | 37 |
| June 1934, Guild Convention..... | 38 |
| June 1935, Guild Convention..... | 44 |
| National Labor Relations Act (Wagner Connery Act)..... | 45 |
| Guild Shop Issue..... | 49 |
| Associated Press Case..... | 51 |
| Guild Affiliates With A. F. of L..... | 56 |
| Guild Affiliates with CIO..... | 57 |
| Publishers' Reaction to Guild Affiliation With CIO..... | 60 |

| CHAPTER | PAGE |
|---|------|
| American Press Society..... | 62 |
| V. GROWTH OF GUILD IN BOSTON..... | 65 |
| Beginnings..... | 65 |
| Provisions of First Contract..... | 70 |
| Negotiations on the Boston Transcript..... | 73 |
| The Globe Contract..... | 74 |
| Guild Operations at the Globe After First Contract..... | 75 |
| Strike Vote At Herald-Traveler..... | 78 |
| Record-American and the Guild..... | 79 |
| The Post and the Guild..... | 81 |
| Principal Provisions of the 1948 Herald-Trav- eler Contract..... | 82 |
| Local Statistics..... | 86 |
| VI. APPRAISAL OF THE GUILD..... | 89 |
| BIBLIOGRAPHY..... | I |
| APPENDIX..... | IV |
| Collective Bargaining Program of the American Newspaper Guild | |

CHAPTER I

THE PURPOSE OF THE STUDY

The purpose of this study is to trace the growth of the American Newspaper Guild from its meagre beginnings in 1933 to the present where it stands as the most powerful labor group representing editorial, business, circulation, promotion and advertising departments in the newspaper industry.

Research for this study indicates that no complete study of the American Newspaper Guild has been done. Many journalism books refer to the Guild in a chapter or chapters but few give any inkling of the tremendous struggle which the Guild fought to gain the place it now holds. Also, few of these studies give a complete picture of the publishers' objections to the Guild and the defense offered.

So that local growth shall not be sublimated to national growth, one chapter of this study has been devoted to the development of the Guild Local in Boston. This chapter should give some idea of the obstacles which the Guild faced in every community where it attempted to organize.

Importance of the study. With the increasingly influential role which the Guild is playing in the life of every newspaperman whether member or non-member, it becomes more and more important that every person interested in journalism should

know of the organization and the part it plays in the life of this country's newspapers. It has enabled newspapermen to achieve their rightful place in the journalism hierarchy where the publisher reigned supreme for so many years. The Guild has made mistakes, but it also has many achievements to its credit which are well worth study by all future journalists and all others who believe in the newspaper as a way of life and who realize the irreplaceable function which it plays in a democracy.

The Newspaper Guild seems here to stay. Its part in the future of journalism, for better or worse, will be governed by the amount of interest and understanding which the new generation of newspapermen show towards it. Its tremendous growth over the past 15 years proves conclusively that the men and women in the industry, or profession as some wish to label it, do find a need for such an organization. The fact that this large group supports the Guild willingly and in the face of the opposition of most publishers shows that the organization is a live and progressive one, a power which definitely must be reckoned with.

The Guild's place in the future seems assured. With this in mind it is the responsibility of every journalist, whether he believes in the Guild or is opposed to it, to take an active

interest in its operation and to understand its purpose, its functions and its goals. Time has proven that it cannot be fought, but it can be guided by discerning men to the betterment of American journalism. To that end this history is dedicated.

CHAPTER II

CONDITIONS ON NEWSPAPERS PRIOR TO THE AMERICAN NEWSPAPER GUILD

During the last years of the Hoover administration at the height of the depression a reporter on most of this country's newspapers was fortunate if he was paid enough to subsist at even the lowest of living standards. He could consider himself more fortunate than many of his brother workers if he still held his job. Staffs of all papers were cut to a minimum and wages were reduced as much as possible in publishers' earnest efforts to keep their papers solvent. Despite these policies many newspapers folded and many went heavily into debt.

The working press was embittered by these proceedings as were the workers in all other industries where conditions were much the same. It is this feeling which in part gave impetus to the formation of the American Newspaper Guild.

Even prior to the depression, working conditions on most newspapers were poor. The hours were long and irregular and the low pay provided little incentive. Security was almost nonexistent. Newspapermen were hired and fired at random. No one could be sure that his next pay check might not be his last. This policy worked no hardship on the younger men,

most of whom enjoyed the excitement of moving about the country. Also, the constant shifting of personnel enabled the young man of ambition and talent to climb the ladder of success very quickly. In contrast, the older, married men with families to support needed security. They could not afford to risk the welfare of their families for the sake of quick success. Consequently many of the best of them put away journalism as they might put away the football suit of their youth and drifted into other work which afforded more security. In this way journalism lost much of the sober, intelligent writing which comes only with age and experience and which is essential if the profession is to meet fully its responsibilities in a democracy.

Guild Predecessors. There have been organizations of newspaper workers ever since the Civil War. During the last half of the 19th century press clubs flourished. Most famous was the Gridiron Club, organized in 1885 by the Washington correspondents. The club was more a social get-together than anything else.

Most states also had editorial associations, begun in 1885, and like the press clubs mainly social in nature. However, these clubs did give newspapermen a chance to meet each

other and discuss common problems.

Before the birth of the Guild there were sporadic attempts at organization along union lines among newspaper workers. Most of these attempts died quickly and the few that did survive were never very successful in achieving material gains for members. These smoldering flames of the big fire that was to come were usually extinguished by executive reprisals before they had a chance to grow, and many who joined suddenly found themselves out of a job.

One of these essentially unfruitful efforts was the reporters' union of Scranton, Pennsylvania, formed more than 44 years ago as an affiliate of the International Typographical Union (ITU). Also, two Yiddish Writers' Clubs were established more than 40 years ago in New York City and Philadelphia. One affiliated with the AF of L and managed to negotiate a contract guaranteeing \$60 a week and other benefits, practically unheard of at the time.¹

Other examples are the newswriters on the Milwaukee Leader who have had a union for 50 years. Also, British newspaper men and women have been organized for decades.²

¹

Keating, Isabelle, "Reporting Becomes of Age, " Harper's Magazine, Vol 170, April 1935, p 601

²

Ibid., p. 605

There are two unions in Britain among newspaper workers: the British Union of Journalists founded in 1907 and the British Institute of Journalists chartered by Queen Victoria in 1890. Together they have made the editorial rooms of British newspapers practically closed shops.³

Need for Guild. Prior to the Guild, newspaper work had always meant long and irregular hours, under poor working conditions, with no assurance of how long a job might last. In most cases, wages were pathetically low. There was excitement and romance, something a real newspaperman will always find in his work, but these qualities could not take the place of decent living wages. Because of the traditional devotion of newspapermen to their work, they put up with the many hardships. The typographical and mechanical crafts, the mailers and the truck drivers, formed unions and negotiated contracts, but the editorial workers had the feeling of being in a profession and would not lower themselves to the status of union laborers.

It was not long, however, before they began to notice

3

Loc. cit.

that in many cases mailers and truck drivers were being paid better than they were. Also, these workers had regular hours and were paid for overtime in addition to benefiting from the security that a contract provided. When the depression hit, and newspapers found themselves in the serious financial straits of most other industries, publishers were forced to reduce expenses. Because the typographical and mechanical crafts, the mailers and truck drivers, had contracts, the publishers found themselves against a stone wall, and conditions for these workers remained at a fairly high level throughout the worst of the depression. And since the editorial workers had no contract, they were the logical target for many of the publishers' expense cuts.

Finally realizing that they desperately needed some sort of organization to fight for and protect their interests, editorial workers began to discuss among themselves how they might organize.

In contrast to the period when the other newspaper workers had organized, by the time the editorial workers got around to serious consideration of a plan publishing had become "big business" and publishers could exert tremendous influence against any reform they did not desire. This may be shown by the fact that in 1884 newspaper revenues for the entire country were about \$135,000,000, whereas in 1929, they were in excess

4

of a billion dollars.

Labor needed great strength to gain its just share of the profits. Without concerted effort any attempt to organize would be killed in birth as had so many other half-hearted ventures. But where was this strength to come from? The Roosevelt administration and the New Deal helped to solve the problem.

National Industrial Recovery Act. (N.I.R.A.) On June 16, 1933, Congress enacted the National Industrial Recovery Act which created the National Recovery Administration (NRA), an administrative bureau set up under the Act to regulate trade and industry under codes of fair competition. N.I.R.A. authorized "establishment of trade association; suspended antitrust laws; authorized the drawing-up of codes of Fair Competition to be accepted by the President; guaranteed collective bargaining and required employers to accept approved maximum and minimum wage provisions."⁵

Its purpose was to promote private industry, eliminate unfair competition, stimulate production and consumption, and relieve unemployment.⁶

⁴ Ibid., p. 616

⁵ "Information Please Almanac 1949" Farrar, Straus and Company, New York City, 1949, p. 196

⁶ Mott, Frank Luther, "American Journalism," The Macmillan Company, New York City, 1947

The Act provided for the setting up in each industry of a code of fair practices. This was to be done by an approved trade association. The acceptance of this code was voluntary by each individual operator but the pressure was strong.

In the publishing industry most of the leaders were against formulating a code. They objected to the idea because it seemed a licensing of the press by the government and a threat to liberty. But pressure from all sides, extremely strong at the time, finally forced them to form a committee to draw up a code in July, 1933.

In addition NRA proposed including the regulation of all editorial workers' hours in the code. Publishers protested this vigorously, claiming that writing is a profession, and that professional workers are not covered by NRA regulations.

The NIRA undoubtedly was one of the most important factors contributing toward making an organization of newspaper workers possible, particularly the famous Section 7(a) of the Act. This section gave employees the right to organize and bargain collectively, free from the restraint of employers. William Green, president of the AF of L, reported that trade-union membership had grown from two to four million all due to section 7(a).⁷

⁷ Dinneen, Joseph F., "good-by Boys, I'm Through", The Saturday Evening Post, August 3, 1940

During this period labor news increased tremendously, although it was played down as much as possible by most publishers and the greater part of it was unfavorable to labor. This handling of labor news by publishers during the Roosevelt years did not increase their prestige with the people. Nine Nieman fellows, all newspapermen, analyzed the problem in their book, "Your Newspaper" as follows:

"Today the newspapers, while still powerful, have lost their leadership. Readers no longer look to them for advice and wisdom in making great decisions...The hostility of the newspapers against the reviving labor movement, their one-sided stories about the efforts of bewildered workers to raise their standards of living, their bias against social legislation, made millions feel that most of the papers were far from sympathetic to the large number of Americans who passed their lives on the edge of economic disaster.

"Newspaper bias against workingmen's movements was not new; it had existed in the 1890's and in the 1870's, during the panic years, but by 1919 the general level of education had risen enormously and readers had become sharper and more sceptical.

"Moreover, as social problems and business grew bigger and more complex, and newspapers became less neighborly and less understandable, readers increasingly identified them with big business.

"In the four Roosevelt elections, the gulf between the press and readers expanded with a speed that disturbed thinking citizens. Inside the press itself, a sharp division came between the publishers and the journeymen of the press. The publishers in general opposed the Roosevelt program of wider social benefits. The majority of the journeymen -- reporters, copyreaders, junior editors -- supported the Roosevelt measures very

strongly." ⁸

Publishers' Code. Late in 1933 the American Newspaper Publishers' Association (ANPA) completed drawing up their code and took it to Washington. Right up to the last moment the publishers fought the idea with every method at their disposal. They were in favor of a code for every industry but their own, arguing that responsibility for operating a newspaper was invested entirely with the publisher and manager, and that any attempt to interfere with this conception was a direct violation of the freedom of the press as guaranteed in the Constitution. ⁹

As finally submitted, the code permitted child labor, made no arrangements for a shorter work week, established no minimum wages, and provided that no change could be made in the code without the consent of all publishers. It was the

⁸ Svirsky, Leon, Editor, and 8 Nieman fellows, "Your Newspaper," The Macmillan Company, 1947

⁹ Gerald J. Edward, "The Press and the Constitution 1931-1947," University of Minnesota Press, 1948, p 73

10

only code under NRA with such a provision.

Also provided for in the code was a Newspaper Industrial Board to handle disputes arising under Section 7(a). Not one member of this board was a guildsman. Thus the Guild, given no voice in drawing up the code to govern them, was also given no voice on the quasi-judicial board set up to judge them.¹¹

Washington correspondent for the St. Louis Post Dispatch, P.Y. Anderson characterized the publishers' code as "the most dishonest, weasel-worded and treacherous document" ever offered to General Johnson. George Seldes, noted ex-journalist, editor and writer of many books on the press, has this to say about the code:

"The publishers' lobby code was so designed that it would permit them to escape all the obligations (for promoting prosperity) which they were urging upon all the rest of the nation."¹²

When General Johnson threw the publishers' code aside the pressure was on. Through their lobby in Washington, one of the strongest in the country, publishers began to assert their tremendous influence. Washington leaders were intimi-

¹⁰ Keating, Isabelle, "Reporting Becomes of age," Harper's Magazine, Vol 170, April 1935, p. 607

¹¹ Loc. cit.

¹² Seldes, George, "Lords of the Press" Julian Messner, Inc., New York City, Third Edition, 1939, p 11

dated and false statements were published. Johnson grew bitter against the publishers and publicly stated that they "are few in number, but ruthless in method. Some of them control powerful newspapers and they are using these papers to misrepresent every development of NRA. It is no longer possible to get a square deal in truth and accuracy...." ¹³

The outcome of all this was that the President accepted the A.N.P.A. Code as originally submitted in February, 1934. Afterward, Heywood Broun wrote in The Nation:

"I might say that the one gain secured by the editorial worker under the code is the privilege of hearing the boss say "No" in person instead of being compelled to read his refusal on the bulletin board." ¹⁴

¹³

Loc. cit.

¹⁴

Broun, Heywood, "The Industry," "The Nation," February 20, 1935, p. 223

CHAPTER III

BIRTH OF THE GUILD

Beginnings in August, 1933. With the passage of N.I.R.A. news guilds began to spring up throughout the country to take advantage of the act's provisions. Probably the greatest single factor in stimulating action at this time was Heywood Broun's story entitled "A Union of Reporters" appearing in his column "It Seems To Me" in the New York World Telegram of August 7, 1933. He wrote:

"There should be one. (union of newspaper reporters) Beginning at 9 o'clock in the morning of October 1 I am going to do the best I can to help in getting one up. I think I could die happy on the opening day of the general strike if I had the privilege of watching Walter Lippmann heave half a brick through a Tribune window at a non-union operative who had been called in to write the current "Today and Tomorrow" column on the gold standard." 15

Joe Dinneen, for many years a reporter in Boston and one of the leaders of the Guild movement in that city, had this to say about Broun:

"A columnist with a wide following and a great, though contradictory, reputation in the craft, his leadership was important. He nursed it, (the Guild) championed it, persuaded and enlisted a number of prominent writers to support it." 16

¹⁵ Broun, Heywood, "It Seems To Me 1925-1935," Harcourt, Brace and Company, New York, 1935

¹⁶ Dinneen, Joseph F., "Good-by Boys, I'm Through," The Saturday Evening Post, August 3, 1940

Newspapermen both in Cleveland and New York had talked of a Guild before Broun's column appeared, but it was Broun's words which stirred up feeling throughout the country. Letters were written which Broun played up in his column, and meetings were organized. The first of these was held by a group of Cleveland newspapermen in August, 1933. New York newspapermen formed a local Guild in September. Soon after, locals were formed in Tulsa, Newark, St. Paul, Minneapolis, Richmond, Hackensack, N.Y., and Toledo. In November, formation of a national guild was underway.

Formal Organization of the Guild. On December 15, 1933,
¹⁷
 delegates from 30 cities and proxies from 25 gathered in Washington, D. C., at the request of Broun for the purpose of forming a national guild.

In the beginning the Guild was formed not as a labor union but as an independent association. The group composed less than one-thousandth of the newspaper men and women of the country. As stated at the convention, the Guild was organized

17

Mott, Frank Luther, "American Journalism," The Macmillan Company, New York, 1947

This figure seems under dispute for a Guild pamphlet entitled, "there's a Guild Card in your future..." puts the figure at 21 cities and the District of Columbia.

"to preserve the vocational interests of its members and to improve the conditions under which they work by collective bargaining and to raise the standards of journalism." Heywood Broun was chosen the first national president in which capacity he served until his death in December, 1939, when he was succeeded by Kenneth G. Crawford, Washington correspondent of the N. Y. Post.

After he was chosen president of the Guild, Broun's columns were regulated to an obscure spot in the World Telegram and he was "bitterly attacked by publishers as a radical, a playboy, and a one-man menace to freedom of the press."¹⁸

At first the Guild was hardly more than a skeleton organization held together by the leadership of a few men like Broun. Although publishers were against the Guild from the start, during these early stages they were more or less content to let it die of its own accord. It was not until later when the Guild, instead of dying, began to grow in strength and stature, that the ANPA took up arms in earnest and began to fight the neophyte organization at every turn with all the pressure at its giant disposal.

¹⁸

Keating, op. cit., p. 616

During the first two years the Guild moved ahead slowly. Cities in which there were Guild units grew from 4 to 11. The first contract was not signed until April 7, 1934, when a Guild local negotiated one with J. David Stern, publisher of the Camden Courier, the Philadelphia Record and the N. Y. Evening Post.

This first Guild contract required: 19

1. Recognition of the Guild as bargaining agent for the editorial employees.
2. Closed shop with a check-off of Guild dues (dues deducted from pay).
3. Five day, 40-hour week.
4. At least two weeks' vacation with pay.
5. Minimum graduated pay-scale.
6. Adequate advance dismissal notice.

One factor that helped a great deal in building the strength of the Guild during its initial organization was the enlisting of many prominent newspaper men and women as members. This was largely due to the efforts and influence of Broun. Included in the membership at this time were such

name-writers as Walter Lippmann, Dorothy Thompson, Walter Winchell, Westbrook Pegler and Eleanor Roosevelt.

Writing from an insider's point of view of the first two years of Guild growth, Joe Dinneen said: ²⁰

"During those first two passive and confused years before the revival, rabid trade-unionists and radicals and avocational cause promoters and defenders had moved in quietly and taken control of the Guild.

"Outside of Broun himself, whose beliefs were known to us -- and we made allowances for them -- the cabinet of leaders associated with him were comparatively unknown to the newly recruited rank and file."

Most of the new members resented this intrusion by men they considered outsiders and not real journalists. However, newsmen have always had an apathy toward organization of any sort, usually preferring to stand on the sidelines rather than sacrifice any of their independence for the sake of a co-operative venture. Many newspapermen felt this way about the Guild. They were anxious to achieve security and higher wages, yet they were unwilling to give up any of their independence and get whole-heartedly behind the movement until they were sure they would not be dictated to. Because of this it was impossible for the Guild to achieve any real strength or to

20

Dinneen, loc. cit.

keep out the elements that were not motivated by the real interests of the profession.

Reasons for Joining. Many reporters joined the Guild merely because there was a great deal of pressure put on by the few who were strongly in favor of the movement and were willing to work toward its success. Many who joined really did not know whether they were in favor of it or not, but joined because they couldn't see how membership would do them any harm. It was men such as these who were of little value to the Guild and generally could be dissuaded from the idea by a forceful publisher.

Many joined because they believed there was room for such an organization even though they were not in favor of the Guild becoming too strong. They wanted an organization which could represent its members but not dictate to them. These were the first to get out when the Guild affiliated with the national labor unions.

A different class were those who joined because they realized their mediocrity and were afraid for the future. They wanted an organization which would guarantee them security for the rest of their lives. Others more confident of their ability wanted security for their old age, which they believed was merited if they devoted a life-time to the pro-

fession.

Still others joined merely because they wanted higher wages and better hours, and because they believed the Guild could secure them. These were usually the young men working at sub-standard wages in comparison to other similar jobs. The older men who were being paid fair salaries did not hold much hope that the Guild could raise their pay, but many of these joined from altruistic motives on behalf of the younger men and for those who needed security.

Another angle lay in the fact that reporters on papers where working conditions and pay were above average were usually sympathetic with those on below-average papers, and were willing to join the Guild in order to help their less fortunate colleagues as well as to guarantee their own future.

Objectives of Guild. In the original prospectus written prior to the birth of the Guild and adopted at the first convention held in Washington, the objectives of the organization were stated as follows:

"...to guarantee in so far as we are able, constant honesty in the dissemination of public intelligence; to raise the standards of journalism and the ethics of our craft, and to foster friendly co-operation with other workers of the newspaper industry."

It will be noted that nothing is said of the advancing of economic interests even though this was understood to be

one of the primary aims of the organization. At the time newspapermen still considered themselves above that phase of unionism. They wanted what they considered a dignified organization, much like a professional society. Since journalism fits the dictionary definition of a profession (i.e., a vocation or calling requiring a liberal education, mental rather than manual labor, training, experience and special training) many sincerely believed that it was a profession and as such the Guild should become a professional society with functions like those of the medical and engineering societies. They believed that the Guild should concern itself with ethics and journalistic practice as well as wages, hours and working conditions. The direction the Guild ultimately took when it became a trade union and afterward an industrial union bitterly disillusioned these men.

This union trend is made clear by comparing the purpose as stated in the original prospectus with the purpose as stated in Article I, Section 2, of the Guild constitution adopted by the 1948 convention.

"The purpose of the American Newspaper Guild shall be to advance the economic interests of its members, to guarantee, as far as it is able, constant honesty in the news, to raise the standards of journalism and ethics of the industry, to foster friendly cooperation with all other workers, and to promote industrial unionism in the industry."

It can be seen that the Guild still maintains some sem-

blence of a professional society even though most of its high ideals have been overshadowed by industrial union objectives.

Publishers' Reaction to the Guild. When publishers realized that the Guild was not destined to fall by the way-side of its own volition, they took up arms against it in earnest. They had had many troubles with craft unions in their plants and they did not want to go through the same ordeal with editorial workers. To stop the organization publishers in many instances restored pay cuts and gave raises, thus causing some workers to feel that there was no need to join the Guild. Other publishers opposed the Guild by refusing to recognize it, by discriminatory discharges for Guild activity and by professional strikebreaking in cases where the Guild went to the extreme of striking to gain its ends. Only professional programs completely devoid of union policies, such as the American Press Society,²¹ were encouraged by publishers.

One of the great sore spots with publishers was the Guild shop issue. The Guild demanded that in a plant where the editorial workers by majority vote accepted the Guild as their arbitrator in disputes with the publisher, all re-

porters and editors below management status be required to join the organization after a certain period of time (usually 30 days). This was essential, the Guild claimed, to prolong the life of the organization. Otherwise publishers would hire only men who contracted not to join the Guild, a procedure which would eventually kill the organization.

Publishers interpreted the Guild shop to mean a closed shop in order to gain sympathy for their point of view from those who did not understand the issue, and then made it known that they were being deprived of a responsible newspaper operator's right to select his own staff. They claimed that the responsibility of a free press could not be discharged properly if some outside authority dictated whom the publisher should or could not employ. The issue was all the more serious, they said, because the Guild by resolution at its conventions took definite stands on debatable issues. (This was a policy which many Guild members decried. At the 1937 convention in St. Louis, for example, the Guild went so far as to advocate the defeat of Fascism in Spain and to support independent political action to benefit farmers and laborers).

Among the first to oppose the Guild openly was William Randolph Hearst.²² R. L. Burgess, an editorial writer for

²² Alexander, Norman, "Not Fit to Print," The Nation,

the San Francisco Examiner, a member of the Hearst chain, was elected chairman of the Guild chapter at the Examiner. A few days later he was dismissed. When pressed, the Examiner said that his dismissal was due to economy and efficiency measures. However, there were no signs that the paper was economizing anywhere else and there was no proof that the quality of Burgess' work had changed.

The Guild registered a complaint with the regional labor board and requested it to reinstate Burgess. John Francis Neylan, Hearst's general attorney, refused to recognize the labor board's authority and stated that no one could tell a publisher who was going to write his editorials for him. The case was eventually dismissed for lack of evidence and Mr. Hearst had won in his first encounter with the Guild.

Not all publishers were so antagonistic towards the Guild. Joseph Patterson, publisher of the New York News, commented when he signed his first Guild contract, "If I were a reporter myself, as I used to be, I would apply for membership in the Guild."²³ Attitudes such as this were uncommon, the Guild found, and publishers like Patterson constituted a very small

January 16, 1935, pp. 75-77

23

Pringle, Henry F., "The Newspaper Guild," Scribner's Magazine, January, 1939, p. 21

minority.

At a meeting of representatives of 11 publishers' and editorial associations in Chicago on June 29, 1937, a resolution was passed stating that "no newspaper can command confidence in the fairness of its news presentation if it selects all its employees from only one political party, one religious denomination, or any one group devoted to a single cause."²⁴

Roy Howard, publisher of the Scrips-Howard chain of newspapers, objected to the Guild because: the "closed shop" prevented the hiring of able, new men; the demanded wages and hours might reach extremes which the publisher could not meet; it prevented freedom of the press, as he saw Guild members leaning to the left, whereas the aim was to have journalists above the battle and without political affiliation even if publishers could not meet such requirements.²⁵

Publishers were always quick to point out that a reporter should be completely unbiased so that his stories would be as objective as possible. Reporters who were mem-

²⁴

Robb, Authur, Firm Stand Against Guild Closed Shop Voted By Eleven Newspaper Groups," Editor & Publisher, Vol. 70, July 3, 1937, pp. 3-4

²⁵

Bliven, Bruce, "Union Card Journalist," The New Republic, Vol. 88, September 9, 1936, pp. 125-126

bers of the Guild, they said, would be prejudiced, and consciously or unconsciously would slant their writing from a labor point of view. The Guild countered by saying that a good reporter could write an unbiased story no matter what his own beliefs. Had they not been writing from the publisher's point of view for years, even though it was the complete opposite of what they really believed in many cases? This blow struck home and angered publishers. (At the 1947 convention of the American Society of Newspaper Editors it was pointed out that publishers have never been able to prove that a reporter was biased in his newswriting because he was a member of the Guild).

It was easy for the publishers to hold up lofty ideals when it was to their advantage, the Guild said. Yet they were probably more prejudiced on the side of "big business" than the average Guildsman would be on the side of labor. In their book, "Your Newspaper" nine Nieman fellows emphasize this point against publishers.

"....Most publishers, we are sure, honestly think they are giving their readers what they want.

But publishers are businessmen, they associate with businessmen and they inevitably acquire the biases of businessmen. Many of them feel little responsibility for educating the citizenry. When they do try to discharge such a responsibility, it is with the happy notion that they know what is best for the people, that they are clearly appointed trus-

tees." ²⁶

The accusation that the Guild took definite stands on debatable issues was countered by Heywood Broun when, after attending several secret sessions of the ANPA one year, he reported:

"They condemned the mild Copeland bill on foods and drugs. H. W. Flagg, of the Philadelphia Public Ledger, chairman of the Open Shop Committee, unofficially offered the services of his committee to all publishers, members and non-members, for strike breaking purposes." ²⁷

The "freedom of the press" argument which publishers used consistently was also discredited by the Guild. Freedom of the press, the Guild argued, did not give publishers the right to do as they pleased exempt from all laws. Also, publishers had no right to consider themselves the sole guardians of freedom of the press, the Guild said. R. S. Gilfillan, then vice-president of the Ninth Region, American Newspaper Guild, clearly stated this argument in his article entitled, "The Guild Viewpoint" published in the Journalism Quarterly.

".... there is one point apparently overlooked by publishers in their haste to assert their rights as employers. The point is that, while employment on a newspaper is necessary to the journalist in the practice of his vocation, the newspaper art, or profession,

26

Svirsky, Leon, Editor, and eight Nieman fellows.
"Your Newspaper," The Macmillan Company, 1947, p. 12

27

Seldes, Loc. Cit.

is his to cherish and protect. The publisher has no personal ownership of the calling and, since he operates a public service in the publication and circulation of a newspaper to the reading public, he must recognize the right of writers and editors to establish and maintain their own standards." 28

George Seldes, in referring to this argument, said:

"In reply to every attempt to apply legislation affecting unionization, child labor, hours, wages, sanitation, working conditions, or other social reforms upon them...they have not only whispered, but bellowed 'Freedom of the Press.'" 29

When publishers argued that freedom of the press, journalistic initiative and newspaper loyalty were being killed by the Guild, and that newspapermen were becoming workers rather than professionals, the Guild reported that before newspaper work could become a profession, working conditions should be those of a professional person. Only when this was accomplished could ANG turn its attention to ethical questions.

To the publishers' accusation that the honesty of journalism is impaired by a special point of view, Bruce Bliven digests the Guild's argument in four major points:

1. There is no evidence that the Guild has tried or will ever try to dictate editorial policies on papers

28

Gilfillan, R. S., "The Guild Viewpoint," Journalism Quarterly, Vol 12, March 1935, pp 53-59

29

Seldes, op. cit., p. 10

where members are employed. The Guild contract states that no one is barred from membership because of political opinions.

2. Social welfare is better protected if the attitude of the paper is determined by the whole group of employees rather than one man whose personal finances are involved. Then we should not have men distorting the truth and making hypocrites of themselves in order to hold their jobs.
3. Journalism needs professional standards and ethics. Now newspapermen are often forced to bow to someone with inferior training and mental capacities -- men whose only retort is to take away the livelihood of his opponent.
4. There will be no trade union dictatorship. (This was written after the Guild affiliated with the CIO.) Great Britian has had a trade union similar to ANG for many years but the English press is not colored or distorted any more than the American press is.³⁰

Speaking of the Guild at a meeting of the American Society of Newspaper Editors in April 1934 Marlen E. Pew,³¹

³⁰ Bliven, op. cit., p. 126

³¹ "Problems of Journalism -- Proceedings Twelfth Annual

then editor of Editor and Publisher, told the assembled editors that in his opinion "unionization of editorial forces is unthinkable."

Elaborating on this point, he said that the cardinal tenet of the newspaper code was loyalty and that no man could serve two masters. He must decide which came first, union or newspaper. This definition would place newspapermen in the dilemma of either choosing the newspaper and alienating the unions, or if he answers union, said Pew, "it must mean that he ceases at that instant to serve the fine disinterestedness that makes newspapering both wholesome and effective."

Pew pointed out that the reason newspapermen could remain disinterested while members of the union was because trade unionism was dependent on propaganda and political action for success. If a newspaperman became a union member he was thereby morally committed to defend it "in all undertakings, both good and bad, right and wrong, fair and foul."

Any journalist who was a creative worker, Pew said, would find trade unionism completely incongruous. It simply would not work. In addition, Pew said, the trade union principle was untenable because it would inevitably grow too big

Convention, American Society of Newspaper Editors, April 12-21 1934," National Press Club, Washington, D. C.

and powerful and would eventually react with devastating consequences.

Speaking of his own desires, Pew said, "Give me freedom from such outside pledges...I wish...to write without restraint of what I see and hear. It is my job and to serve it I must have liberty, liberty even to go wrong."

Speaking of the security factor in luring members into the Guild, Stanley Walker, then city editor of the N. Y. Herald Tribune, said to the same group of newspaper editors:

"I do not believe that, as an inherent right, the newspaper man should expect definite future security in his job. If he is good, he will get ahead; if he isn't he won't.

"I believe that there is less injustice in most newspaper offices than there is in any other business." 32

To get the Guild viewpoint, the American Society of Newspaper Editors invited Allen Raymond, then president of the Guild of New York newspapers, to address the meeting. The following quotes are portions of his speech which most nearly characterize the Guild's position at the time.

"Part of the business of the organization of the Newspaper Guild is to see to it that gradually, in the course of some years, the men and women who write the stories and edit them shall get more of what you and I know is their share. So, partly the Newspaper Guild is a part of the organized labor movement, organized for collective bargaining.

.....
"The brightest and ablest (newspapermen) leave

newspapers because as they grow older, they have to earn a decent salary, and they require security.

.....
 "The press has more competition today. In order to hold its position, it is going to have to raise its standards." ³³

At the conclusion of Mr. Raymond's speech, the editors present were allowed to comment. John S. Knight, managing editor of the Akron, Ohio Beacon-Journal, said that he did not think the Guild would do any harm to the profession but, at the same time, he did not see how newspapermen would achieve anything through the Guild that they did not already have.

John J. Mead, Jr., managing editor of the Erie, Pennsylvania Daily Times, thought that a newspaper's greatest asset was loyalty on the part of the staff, and that no newspaper publisher would ever begrudge a loyal, hardworking newspaperman all the money he could make.

One of the strongest anti-Guildsmen of the group, Stanley Walker, again rose to give his opinion on the salary question, an opinion which very nearly summarizes the attitude of a large segment of the publishers at the time.

"I do not like the Guild because I believe it is unprofessional in its philosophy, unsound in its leadership, and a menace to the real well-being of reporters. I believe the actual result of the Guild activity...will be to reduce the level of salaries, particularly of the exceptionally competent men at the top.

.....

"I am opposed to attempts by any organization, whether it calls itself a union, a craft, a clique or a guild, to transform the tenets of professional conduct or of practice which are ingrained in us.

"The Guild believes that...men who have been on the staff for a certain number of years should upon their discharge for whatever reason -- incompetence, senility, bigamy, drunkenness, or plain loss of memory -- receive handsome rewards for their betrayal of themselves and their craft.

.....
 "I believe it is ridiculous to raise a man's salary solely on the basis of how long he has been on the paper. Some young men are worth \$100 a week after one year, and ought to get it. Others -- and this is the eternal truth about the human race -- will be worth exactly \$30 a week, no matter how long they live." 34

Edson K. Bixby, editor of the Springfield, Missouri News Leader reiterated the old argument that if the reporters owed their allegiance to a federation or union there could be no freedom of the press. As Heywood Broun once put it, "If you ask a newspaper owner to put in a rope on the fifth floor so that somebody may slide down in case of fire he may very well draw himself up and say, 'How dare you interfere with the freedom of the press?'" 36

35

Loc. cit.

36

Broun, Heywood, "The Industry," The Nation, February 20, 1935, p. 223

CHAPTER IV

GUILD BECOMES A TRADE UNION

In affiliating with the AF of L and then later with the CIO, the Guild followed a trend which had been more or less forced upon them by the publishers. A great many of the Guild members favored a professional type organization completely independent and free from the coercive pressures of any organization. They wanted the Guild an organization by and for newspapermen and they did not want their policies and conduct governed by the needs of labor as a whole. This seemed a noble aim until members started negotiating for contracts when they suddenly became aware of how pitifully weak the Guild was against the overwhelming power of the publishers. With the latter's organization, ANPA, they were a closely knit group and could exert tremendous pressure through their newspapers and through their lobby in Washington.

The Guild began to see the futility of trying to battle without union affiliation. Many members remained steadfast in their belief that the Guild should avoid any merger with a labor organization. These men, for the most part, worked for papers where friendly relations existed between publisher and editorial employee. On these papers mutually satisfactory contracts were arranged without difficulty and Guild members

could see no reason for accepting the dictatorship which union merger would inevitably bring.

Other members who were unable to affect contracts and who suffered reversals at every turn in the form of discriminatory discharges and professional strike breaking were quick to see the advantages of union affiliation. Since a great many more publishers fought the Guild than were friendly towards it, by the same token a great many more Guildsmen favored union affiliation rather than independence.

If publishers had not been so antagonistic towards the Guild it is doubtful whether they ever would have merged with either the AF of L or the CIO.

Isabelle Keating, reporter and member of the executive committee of the N. Y. Newspaper Guild, clearly states the Guildsmen's position prior to union affiliation when she wrote:³⁷

"Newswriters in general had a distaste amounting to suspicion of union tactics and policies, and resented the rigidity of union regulations, although they admired the union's strength as bargaining agencies. Also they sincerely cherished the belief that the publishers would meet them half way in their efforts at achieving an improved economic and professional status."

June, 1934, Guild Convention. When the Guild met in

³⁷ Keating, Isabelle, "Reporting Becomes of Age," Harper's Magazine, Vol. 170, April 1935, p. 606

St. Paul in June, 1934, for its first annual convention membership had grown to 8,000.³⁸ The organization was loosely held, the power was decentralized, and members realized the need of stronger bargaining. However, the Guild seemed stable with a firm foundation for future strength.

At this meeting the Guild rejected the professional-club idea in favor of trade unionism, but tabled all discussion of affiliation with the American Federation of Labor for a year. The feeling was that the Guild did not have enough knowledge of unions and of the complicated problems involved in merger.

Publishers threatened when they heard that the Guild was contemplating affiliation with the A. F. of L. But most Guildsmen felt that publishers were already doing their worst and that there was not much more they could do. One Middle Western editor told Broun that if the Guild affiliated publishers would again raise the cry of "freedom of the press" in order to maintain integrity of the news when newsgatherers were A. F. of L. members. Publishers would ask, he said, "How can you send a reporter to cover a coal strike or a steel strike if he is a member of an organization which had called

38

Gerald, J. Edward, "The Press and the Constitution 1931-1947," University of Minnesota Press, 1948, p. 78

the strike?" They would reason that each writing would necessarily be effected. Publishers would also fight the mechanical departments if the Guild affiliated, he told Broun. In addition publishers would say that they believe in the right of workers to organize but publication of newspapers was of such peculiar nature that non-unionism was essential throughout and the only alternative would be chaos.³⁹

In writing of the Guild position in regard to affiliation as expressed at the 1934 convention, Broun stated that most of the members were not in favor of the horizontal organization of the A. F. of L. They felt that if the reporters of a certain paper went on strike, then the workers in all departments should go on strike. Otherwise, it would be a simple matter for the publishers to dig up some strike-breakers who would tide them over until the striking reporters were forced to come to terms. On the other hand, if the whole organization went on strike, publishers would have a difficult time finding substitutes for every worker in the plant. Without horizontal organization the workers in all other departments would, in effect, be helping the publisher to bring the

striking reporters into line. Since each department would have a separate contract and all would come up for renewal at different times the only way one department could help another would be by breaking its contract.

Because of this the Guild criticized the A. F. of L. and urged vertical or industrial unionization. (This was before John L. Lewis broke with the parent organization and formed the Congress of Industrial Organization, CIO). The A. F. of L. retorted that the Guild should join their organization and then work for reform from the inside rather than criticizing while not even a member.

William Green, president of the A. F. of L. and a personal friend of Brown's, wanted the Guild to join his union and because of this was extremely friendly and tolerant towards the youthful organization.

Also during the 1934 convention, a new movement sprang up. It was proposed that the Guild seek to become part of the Authors' League, the Screen Writers' Guild and the Dramatists Guild. Then the resulting confederation should apply for an international charter as the writers' union. Nothing ever came of this proposal.⁴⁰

An important step in the history of the Guild was taken at the 1934 convention. It was the adoption of a code of ethics as a basic policy of the organization thus showing their desire to elevate the standards of journalism. Following is the report submitted and accepted:⁴¹

xxxx 1. That the newspaperman's first duty is to give the public accurate and unbiased news reports, and that he be guided in his contacts with the public by a decent respect for the rights of individuals and groups.

2. That the equality of all men before the law should be observed by the men of the press; that they should not be swayed in news reporting by political, economic, social, racial, or religious prejudices, but should be guided only by fact and fairness.

3. That newspapermen should presume persons accused of crime of being innocent until they are convicted, as is the case under the law, and that news accounts dealing with accused persons should be in such form as not to mislead or prejudice the reading public.

4. That the Guild should work through efforts of its members or by agreement with editors and publishers to curb the suppression of legitimate news concerning "privileged" persons or groups, including advertisers, commercial powers, and friends of newspapermen.

5. That newspapermen shall refuse to reveal confidences or disclose sources of confidential information in court or before other judicial or investigation bodies, and that the newspapermen's duty to keep confidences shall include those he shared with one employer even after he has changed his employment.

6. That the news shall be edited exclusively in the editorial rooms instead of in the business office of the daily newspaper.

7. That newspapermen shall behave in a manner indicating independence and self-respect in the city room as well as outside, and shall avoid any demeanor that might be interpreted as a desire to curry favor with any persons.

Your committee also urges the condemnation of the following practices as being harmful to the public interest, the newspapers and newspapermen:

1. The carrying of publicity in the news columns in the guise of news matter.

2. The current practice of requiring the procuring or writing of stories which newspapermen know are false or misleading, and which work oppression or wrong to persons and to groups.

3. The acceptance of money by newspapermen for publicity which may be prejudicial to their work as fair reporters of news. Your committee urges the particular condemnation of the practice of writing paid publicity by staff political writers, and the acceptance by sports editors and writers of money from promoters of alleged sporting events.

4. The practice of some newspaper executives in requesting newspapermen to use influence with officials in matters other than the gathering of news.

A large group of the editorial workers present at the convention felt that their profession had fallen to a disgracefully low level. The desire to combat the situation is shown in the code of ethics and a resolution also adopted at the 1934 convention.

"Resolved that the American Newspaper Guild strive tirelessly for the integrity of the news columns and the opportunity for its members to discharge their

social responsibility; not stopping until the men and women who write, graphically portray or edit news have achieved freedom of conscience to report faithfully, when they occur -- and refuse by distortion and suppression to create -- political, economic, industrial and military wars." ⁴²

June, 1935, Guild Convention. The second formal Guild convention was held in Cleveland, June, 1935. At this time members showed a great deal more interest in affiliation with the A. F. of L. and knowledge of that organization than they had at the previous year's convention. Eastern Guild chapters were, for the most part, more progressive and anxious for affiliation than their brother members from the West who were on the conservative side. The one exception to this was the San Francisco delegation representing Guildsmen who had fought an antagonistic publisher, Hearst, and lost. ⁴³ They clearly realized the necessity for the stronger bargaining position which affiliation would create. Broun wrote later that he believed publishers' intolerance had been a shot in the arm for the Guild. ⁴⁴

⁴² Heldt, Henning, "The End of a Legend," Newsmen's Holiday, Harvard University Press, Cambridge, Mass., 1942, p. 80

⁴³ See page 24

⁴⁴ Broun, Heywood, "Openly Arrived At," The Nation, Vol. 140, June 19, 1935, p. 712

When the question of affiliation with the A. F. of L. was put to a vote, about two-thirds of the delegates chose it, but the decision did not become final until it was adopted by two-thirds of Guild members in a nation-wide referendum.

National Labor Relations Act (Wagner-Connery Act). On July 5, 1935, Congress passed the National Labor Relations Act, commonly called the Wagner Act. The bill created the National Labor Relations Board (NLRB) with power to determine an appropriate collective bargaining units subject to elections they would supervise at the request of the workers. The NLRB had the authority to certify the duly chosen trade union and to take testimony about unfair employer practices and issue cease and desist orders.⁴⁵

The first NLRB was created under the NRA and it laid the foundation for the National Labor Relations Act and later the Fair Labor Standards Act.

The press of the country condemned the Act before and after it was passed and in many cases even went so far as to defy it, declaring it constitutional publishers tried to inaugurate a movement for its repeal or emasculation. Policies

⁴⁵ Information Please Almunac 1949, op. cit. p. 197

such as these embittered labor against the press, a feeling which still exists today.

Manufacturers did not like the law any more than publishers but they obeyed it. Publishers, as usual, considered theirs a special case. Freedom of the press, they believed, gave them the right to disobey it.

Elisha Hanson, chief counsel for the A.N.P.A., said during one of the Hearst's disputes with the Guild that if the NLRB issued an order, Mr. Hearst would not comply with it.⁴⁶

A 1935 ANPA report urged members to fight the food, drug and cosmetics bills, the Wagner Act, the Thirty-Hour bill, Social Insurance and laws "affecting the newspaper business."⁴⁷ ANPA publishers were told to "be constantly alert and vigilant if their properties are not to be destroyed or irreparably injured."⁴⁸

In October, 1936, Hanson sent out a report to publishers requesting them not to obey rulings of the NLRB because he thought they were unconstitutional. "Publishers from now on," he ordered, "should flatly refuse to have anything to do with

⁴⁶

Seldes, op. cit., p. 14

⁴⁷

Ibid, p. 19

⁴⁸

Loc. cit.

the National Labor Relations Board other than to notify it it is without power under the constitution to interfere with their business... In so far as the newspaper business is concerned, I am convinced no order of the Board directed to a publisher requiring him to comply with a decision thereof will, if it is contested, be upheld in the courts."⁴⁹

50

When the law was contested in the Watson case, it was upheld.

Commenting on Hanson's orders, the Guild Reporter said:

"All concern for the general welfare, all respect for the right of Congress to establish public policies which it deems to be essential for the country, have been abandoned in this document which its board sponsors. A law that most of the millions of workers of the country believe is needed to protect them in their right to earn a decent livelihood, treads to some extent on the interests of 1,200 publishers. Out with it! Ignore it!"⁵¹

The Guild argued that the A.N.P.A. were trying to set themselves above Congress and the President. Because of their power and influence on public opinion, plus the life-saving first amendment, publishers considered themselves immune from the laws. Many Guild members questioned the sincerity of publishers in their espousal of "freedom of

49

Ibid, p. 14

50

See page 44

51

Anonymous, The Guild Reporter, October 15, 1936

the press," believing that publishers placed their own interests above any such high-sounding ideal, and that "freedom of the press" was only a means by which publishers gained their ends.

One publisher, J. David Stern, of the New York Post, Philadelphia Record, Camden Courier and Camden Post, agreed with the Guild that the A.N.P.A. had gone too far and withdrew his membership from the organization. In his letter
52
of resignation Stern wrote:

"We are resigning because your association, founded to benefit and strengthen the daily newspapers of this country, has in the past few years so conducted itself as to lower American newspapers in popular esteem, to endanger the freedom of the press, and has even gone so far as to urge its members to breach the law...

"I do not see how a law-abiding newspaper can consistently retain membership...

"Your board recommended to its membership that no agreement be entered into with any group of employees. As we understand the Wagner Act it is obligatory upon employers to negotiate with representatives of a majority of employees....

"Ever since the NRA code, the A.N.P.A. has been using the pretext of protecting the freedom of the press to gain special privilege in purely business obligations.

"That is why I say you are endangering the freedom of the press, and one of the most important essentials of democracy...."

Guild Shop Issue. The Guild shop clause found in most Guild contracts provides that new workers hired in departments where the Guild has been chosen bargaining agent for the employee must join the Guild within a period of thirty days from the date he is hired. This, the Guild argues, is to protect the organization. Without this clause, a publisher could hire only workers who promised not to join the Guild. Such a policy would put the Guild out of existence in a few years.

Publishers, however, interpreted this clause to mean a closed shop and contended that no one was going to dictate to them whom they would hire. The Guild shop, they said, was a threat to freedom of the press since if all newspaper employees were members of the Guild it would not belong before those papers would become merely the mouthpieces of the Guild. It was the publisher's responsibility to see that this never happens, they claimed.

The Guild shop is not, as the publishers contend, a closed shop (i.e., a person must be a member of the union before he can be hired). The publisher is free to hire whomever he chooses provided the worker agrees to join the union within a period of thirty days. From the union viewpoint the Guild shop not only means that the organization will al-

ways be secure but it also guarantees that all who benefit from Guild negotiated contracts will also contribute toward the upkeep of the organization. Without the Guild shop it would be possible for a department to be half Guild and half non-Guild, with the result that the dues of members would have to be increased to compensate for the non-Guild, non-paying workers who are benefiting from Guild dues and Guild efforts. Also, unless all members of a department determined Guild policy by being active, voting members, the Guild could not accurately state that it represented the workers in negotiating a contract. With the Guild shop the publisher knows that every employee is a Guild member and therefore every employee has had a part in framing the Guild proposals with which he is presented.

The Guild viewpoint on this question was clearly stated
53
in their publication, The Guild Reporter.

"First it is the Guild, not the publishers or un-organized editorial workers, which is improving wages and working conditions in the industry. The financial burden of this program is large and the revenues from dues and assessments are woefully inadequate to meet the needs for the organizational and collective bargaining assistance. Many guildsmen complain of the burden of assessments and yet cannot see the importance of spreading, through the Guild shop, the cost of Guild gains and improvements to all who are benefited."

"Secondly, the publishers can gradually eliminate Guild members in the guise of economy with the possible result that by the time the Guild agreement terminates the Guild is too weak to conclude another contract. Without the Guild shop we can be fired or arbitrated out of existence."

Another argument that the Guild presented to publishers was that it could not hold its members without continually pushing for higher wages and it could not remain in existence without members. With the Guild shop, the organization could hold its members without constantly demanding higher wages. This naturally appealed to publishers.

Associated Press Case. In 1935 the AP declined to bargain collectively with the Guild and thus challenged the constitutionality of the Wagner Act.

Morris Watson, an AP reporter, organized and headed the Guild unit in the AP's New York office. In 1934 the AP management, in order to suspend further efforts at collective bargaining, granted the employees a 5-day week. A year later the 5-day week was rescinded. Guildsmen complained to their National Executive Board, requesting that it intercede with Kent Cooper, AP general manager, on their behalf. The day after the Guild protest reached Cooper, Watson was fired.

After examining the facts, NLRB ordered AP to reinstate Watson in May, 1936. The decision was based on the fact that

the board could find no reason for Watson's discharge other than his Guild activity. AP had thus violated the provisions of the Wagner Act. The official reason for the discharge, AP stated when pressed, was unsatisfactory work.

AP disregarded the board's findings and the case was referred to the U.S. Circuit Court of Appeals to enforce the findings.

A previous court decision in which it was ruled that the Wagner Act did not apply to manufacturers gave the AP counsel an idea for his defense. He stated that the AP was not run for profit but as a public service and to support this argument he pointed out that it can declare no dividends. There-
54
fore he claimed:

"This case falls in the classification of manufacture and not in interstate commerce. News is manufactured over editorial cables, while Bessemer steel may be manufactured by open hearth process. News comes in as raw material and is put in final shape by editorial employees, and then only does its interstate transmission begin. Not until this process is completed does it become an article in interstate commerce. The rapidity with which news is transmitted does not make it any the less manufacturing."

Morris Ernst, sagacious Guild attorney, rebutted this
55
argument declaring:

54
p.32 _____, "AP v. Guild" Time Magazine, June 29, 1936,
55 Ibid, p. 33

"It is quite clear that the respondent is not an eleemosynary institution, but is a business association through which member newspapers make greater profits through decreased costs. Assessments vary in the same manner as dividends."

56

To the manufacturing argument he replied:

"News, in its intangible form, is carried over the air by wires; in printed form, it is carried over the ground by rail. The difference in means of transmission cannot affect or diminish the power of Congress to regulate the activities of railroads."

Out of court Ernst sarcastically referred to the AP

57

argument, saying:

"Many readers of the Associated Press have doubtless long suspected them of manufacturing news, but never expected the company's learned attorney to so admit in open court."

On the basis of this constitutional argument (i.e., whether the AP could properly be said to come under the provisions of the Wagner Act which would necessarily be based on whether or not the AP fell under the classification of interstate commerce) the case was brought up for review by the Supreme Court.

The fact that the AP did not challenge the Board's findings that Watson had been discharged for Guild activity

56

Loc. cit.

57

Loc. cit.

and not because of unsatisfactory work as the AP had contended was noted by Justice Roberts in reviewing the case. This position was forced on the AP since the case could not be reviewed by the Supreme Court for reasons other than interpretation of the Constitution. In noting this Justice Roberts⁵⁸ said:

"We, therefore, accept as established, that the Associated Press did not, as claimed in its answer before the board, discharge Watson because of unsatisfactory service, but, on the contrary, as found by the board, discharged him for his activities in connection with the Newspaper Guild."

The court found that the AP operations came under the definition of interstate commerce and that they therefore must abide by the provisions of the Wagner Act, which was planned to reduce interruptions in the flow of commerce due⁵⁹ to labor disputes. The court added:

"These decisions foreclose the petitioner's contention that Watson's employment had no relation to interstate commerce and could not be subjected to the regulatory provisions of the National Labor Relations Act."

Discussed also in the Supreme Court decision was the AP argument that unions on newspapers in the editorial department were an infringement on freedom of the press. This

⁵⁸ 301 U.S. 103, 124-25 (1937)

⁵⁹ Associated Press v. NLRB, 103, 130 (1937)

point actually had no bearing on the case, although the AP built it up to such an extent that, to the public, it was an all-important factor. Since the question was completely beyond the realm of whether the AP had violated the Wagner Act, the Court could not answer it. However, it did bring up the point, stating:

"We think the contention (infringement on freedom of the press) not only has no relevance to the circumstances of the instant case but is an unsound generalization. The ostensible reason for Watson's discharge, as embodied in the records of the petitioner, is "solely on the grounds of his work not being on a basis for which he has shown capability." The petitioner did not assert and does not now claim that he had shown bias in the past. It does not claim that by reason of his connection with the union he will be likely, as the petitioner honestly believes, to show bias in the future. The actual reason for his discharge, as shown by the un-attacked finding of the Board, was his Guild activity and his agitation for collective bargaining. The statute does not preclude a discharge on the ostensible grounds for the petitioner's action; it forbids discharge for what has been found to be the real motive of the petitioner. These considerations answer the suggestion that if the petitioner believed its policy of impartiality was likely to be subverted by Watson's continued service, Congress was without power to interdict his discharge. No such question is here for decision."

61

The court then defined the role of the publisher:

"The publisher of a newspaper has no special immunity from the application of general laws. He has no special privilege to invade the rights and liberties of others. He must answer for libel. He may be

60

Ibid., 131-32

61

Ibid., 132-33

punished for contempt of court. He is subject to the antitrust laws. Like others, he must pay equitable and non-discriminatory taxes on his business....The order of the board in nowise circumscribes the full freedom and liberty of the petitioner to publish the news as it desires it published or to enforce policies of its own choosing with respect to the editing and re-writing of news for publication, and the petitioner is free at any time to discharge Watson or any editorial employee who fails to comply with the policies it may adopt.

In the final decision the Court ruled 5-4 against the AP. The minority opinion practically reiterated the argument publishers had used against the union from the beginning.

Watson was ordered reinstated with compensation for his unemployed period and he became the Guild's martyr. This complete victory for the Guild boosted and strengthened the organization tremendously. It also gave it a basis for contention in future disputes with publishers. The AP had used all the publishers' arguments, and still the highest court in the land has decided against them. With this vindication of its beliefs, the Guild was given new life.

Guild Affiliates With A. F. of L. By June, 1936, when the third annual Guild convention was held in New York, the necessary two-thirds referendum vote for affiliation with the A. F. of L. had been obtained. Formal affiliation was

was proclaimed by the delegates after an 84-5 vote.

During the convention Julius Klyman of the St. Louis Post-Dispatch urged Guildsmen to endorse John L. Lewis' committee for Industrial Organization instead of the American Federation which he believed was "a crumbling institution which may not survive another six months."⁶² Many Guild members were in sympathy with this idea, particularly when they remembered the opportune gift of \$2,000 which the Guild had received from Lewis' United Mine Workers the year before at a time when the baby organization's finances were in a precarious state. Others were in favor because they thought industrial organization would give them greater bargaining power. Broun, a good friend of Lewis, agreed with Klyman that the labor map was changing and stated that he "wanted to be with the map-makers."⁶³

Guild Affiliates With CIO. The CIO was born as a result of a split within the A. F. of L. ranks. In 1935, leaders of the industrial unions in the A. F. of L. won approval to organize the mass production workers (automobile,

⁶² _____, "Newshawks Union," Time Magazine, June 8, 1936, p. 24

⁶³ Loc. cit.

aluminum etc.) along industrial lines. To do this, the Committee for Industrial Organization (CIO) was formed without approval of A. F. of L. leaders. In January, 1936, the Executive Council of the A. F. of L. ordered the CIO to dissolve and in August, upon its refusal to do so, suspended the ten unions who formed the committee. The suspended unions became the Congress of Industrial Organizations.

At the Guild's fourth convention held in St. Louis in June, 1937, only a year after it had affiliated with the A. F. of L., the delegates voted to become an industrial union and affiliate with the CIO. Twenty-four of the 143 votes at the convention belonged to the New York city delegation affectionately devoted and subservient to Scripps-⁶⁴ Howard columnist Heywood Broun. Under Broun's leadership the New York delegates introduced and passed four successive resolutions. The first demanded the indictment of Chicago police for the "murder" of seven strikers outside Republic Steel plant on Memorial Day. The second asked Federal appropriation of \$5,000,000,000 to assure continuance of WPA. The third denounced Fascism and encouraged the Spanish Loyalists. (It was this resolution which was

⁶⁴ _____, "ANG to CIO," Time Magazine, June 21, 1937, p. 60

mainly responsible for a storm of disapproval from Guild members which followed when these resolutions were published.) The key resolution of the convention, however, was the one which threw open Guild ranks to workers in advertising, circulation, business and other unorganized departments, and in which it voted to apply for affiliation with the CIO as an industrial union.

Reporter Robert Black of the Washington News voiced the opinion of many members when he announced that he was opposed to the entry of any but editorial workers into the Guild, but he was in favor of CIO affiliation. The conservative Southwestern and Midwestern members stood solidly behind Black, resenting what they took to be a New York domination of the Guild. Black felt that allowing workers outside the editorial department to join the Guild was like "hitching up a dead horse to a live one."

65

Morris Watson spoke up for the other side of the

66

question:

"Nowadays, if a reporter walks out on strike, they can replace him with some more boilerplate. But when the elevator boy quits and the publisher has to lumber up five flights of stairs, he'll know a strike

 65

See page 51

66

"ANG to CIO," op. cit.

is on."

Many Guild members also were upset by the fact that in some shops the business office workers outnumbered the editorial workers and would have voting control of the unit.

After the resolutions had been passed by the convention they were submitted to Guild members through referendum. All were upheld except the resolution on fascism in Spain.

Typical of the reaction of some members was the comment of
67

Joseph Dinneen:

"The power of the press and the power of the Guild seemed to have been tangled somewhere along the line, and some members thought that the convention badly needed a copy editor with a heavy black pencil; that it ought to stick to the newspaper business."

Summarizing Guild growth while affiliated with the A. F. of L. at the 1937 convention, Jonathan Eddy, executive vice president, said that there were 47 agreements as compared to only seven the previous year. The 47 agreements covered 78 newspapers. Also, membership had increased during the 12-month period from 5,716 to 11,112, and the treasury had \$10,049 on hand as compared with \$231 before affiliation.

Publishers' Reaction to Guild Affiliation With CIO.

After Guild affiliation with the CIO, publishers claimed that

the organization was no longer interested in furthering professional standards among newspapermen but was interested only in trade union benefits. The Guild was also accused of being radical and of trying to commit its members to certain points of view in regard to the news they would have to write.

Malcolm W. Bingay, editorial director of the Detroit Free Press, made one of the most vigorous denunciations of the Guild in the June 26, 1937, edition of Editor and Publisher. His words, in part, are as follows:

"Higher wage levels and better working conditions will keep such men in the editorial departments and bring about the things for which I have always fought--to have journalism take its rightful place in professional standing along with law, medicine and engineering.

"A newspaper guild built on such basic principles is one thing, however, and a union labor organization is strictly another. In fact, the plan of a labor union defeats the very purposes of a professional guild. It is a step down and not up. It destroys the spiritual essence of our work, lowers the levels of personal achievement and makes the day's job a thing of factory routine...

"In the long run it will reduce the standards of journalism and will not raise the average salaries. The least competent will be benefited and the more capable will be paralyzed. Individual effort will go for naught because in any regimentation of workers the good men must carry along the hewers of wood, the carriers of water and the drones...

"I know of no way by which brains can be measured by a yardstick. Nor can loyalty, imagination, enthusiasm. The idea for a story may be equal to a whole week's work in the estimation of an understanding city

editor. The human equation enters into every phase of editorial activity so completely that to regiment brains brings the whole business down to a subsistence level, with the lowest common denominator determining the character of the group... As an active member of the CIO, for example, he is dividing his loyalty between that organization and his paper, no matter how honest he strives to be in his writing. It is like asking an adoring mother to find faults in her first born... Staff loyalty, which once made the newspaper a thing apart, is merged and lost in the new-found allegiance."

American Press Society. Due in large to the opposition of many newspapermen to organization along union lines, late in 1936 the American Press Society was formed. It concerned itself primarily with the professional aspects of journalism as opposed to the essentially economic interests of the Guild. Because of this, membership consisted of only a few hundred. Although its aims were high, the organization was unable to accomplish anything because it had no strength. It is, perhaps, a good example of what the Guild would have become had it not turned to unionism. Most newspapermen admired the idea but, from a material viewpoint, they did not see how such an organization could ever do them any good. The Guild had learned through bitter experience that the only way publishers could be made to change their ways was through force, and to achieve the strength they needed they resorted to unionism.

Oliver Holden, executive director of the American Press

Society, wrote that the purpose of the organization was "to cultivate, develop and reconcile the rebellious spirit which has made journalistic workers troublesome in their organizations but which gives them their chief value to the public." ⁶⁸

Article I of the APS constitution reads as follows:

"The American Press Society is hereby established for the upholding of newspaper character and reputation. It shall concern itself with elevation of standards of journalism and journalists and shall not commit itself directly or through affiliation or alliances to any other cause or movement.

"This society is dedicated to the belief that the practice of journalism is an honorable profession bearing the nature of a public trust, the integrity and detachment of which are essential to free government and to preservation of the liberties of the masses and of minorities. Its members pledge themselves to gather and present all facts of public interest to the best of their ability without fear or favor."

American Editorial Association. The American Editorial Association was organized by 15 federal locals affiliated with the A. F. of L. At its organizational meeting in Chicago in October, 1940, it claimed to represent 1,500 members. The birth of this organization gave newspapermen who still desired the horizontal union (editorial employees only) a chance to group themselves and forward their interests.

⁶⁸ MacDougall, Curtis D., "Newsroom Problems and Policies," The MacMillan Company, New York, 1941, p. 548

One of the first things the AEA did was to adopt the principle that it was "unalterably opposed to Communism, Naziism, Fascism, and all other alien isms."⁶⁹

⁶⁹

Loc. cit.

CHAPTER V

GROWTH OF GUILD IN BOSTON

This chapter is devoted to a study of the Guild's local development in a typical city in more detailed fashion than could be done while tracing the Guild's growth on a national scale. While the development has naturally not been the same in every city, there has been basic similarity in the essential problems.

Model by-laws were drawn up by the national organization for the use of Guild locals and they were followed as closely as possible in each individual case. Also, a standard contract was provided by the local Guild headquarters and each local tried to follow it.

Problems faced by the Guild in Boston not typical of those presented in other cities and minor organizational differences have, for the most part, been omitted.

Beginnings. During the depression newspapermen in Boston suffered in much the same manner as their fellow workers in other parts of the country. Before the Guild, summary dismissals and long hours were common. Most editorial workers put in a 6-day week while district reporters worked seven and were on duty 24 hours a day. Workers felt the injustice,

particularly when they noticed the advantages enjoyed by the back-shop employees who were unionized. When the Guild began to organize in Boston the editorial workers were glad to listen to a promise of salvation.

Richard O. Boyer and Edward Allen, reporters for the Boston Herald, were most active in organizing the Guild in Boston and the first Guild unit was formed in the Herald-Traveler editorial department.

Most of the organizing was done through leaflets written at first by Boyer and Allen, and eventually also by others, as the Guild idea spread. These leaflets were circulated throughout the editorial departments of all Boston newspapers. (There were eight at the time, although the Herald, a morning paper, and the Traveler, an evening paper, were published by the same company as were the morning and evening Globe and the morning Record and evening Advertiser, both Hearst papers.) As interest increased meetings were held and the ideas discussed. The organization was rather haphazard and experimental at first. Neither Boyer nor Allen knew much about unions or how they were organized and information and instructions from Guild headquarters in New York were at best rather vague and incomprehensible to Boston's neophyte organizers.

Editorial workers from the Herald-Traveler and the Boston Globe took leading parts in organizing the Guild local. Workers on the other papers did not take to the idea as quickly. Foremost figures, in addition to Boyer and Allen, were Donald Willard, Globe, Donal M. Sullivan, also of the Globe who later became a national president of the Guild, and Henry Harris, also on the Globe staff.

To stir up action these leaders in the movement published a four-page tabloid entitled "The Spectator" which they circulated among editorial employees. This paper did more than anything else to make Boston publishers realize that the Guild was a serious movement and one possessing more strength than they had anticipated. Realizing that if the Guild gained a foothold it might be difficult to control it, publishers began giving raises to editorial employees in an attempt to discourage them from joining. The raises were insufficient, however, to prove any great deterrent to Guild organization.

Many editorial workers in Boston were wary of the Guild movement and it took a great deal of convincing to win over a majority of them so that the Guild could be recognized as a bargaining agent with the labor board. Although most were anxious for higher wages and better working conditions they, nevertheless, were backward about join-

ing for fear of publisher reprisals. The Guild was still weak nationally and in Boston it was just gaining a foothold. Many employees did not see what the Guild could do should a publisher decide to fire them. They feared they would be left with a worthless Guild membership and no job.

70

Donald Willard flippantly remarked that if publishers had said, "Boo.!" during the initial stages of organizations every newspaperman in Boston would have quit the Guild. Although not entirely true, this statement reflects the feeling of many of the original members. Publishers, however, did not know this situation existed or if they did they did not take advantage of it. As in other parts of the country the attitude of publishers toward the Guild was one of, "Let it die of its own accord."

Another factor, peculiar to Boston, which undoubtedly influenced employees against the Guild, was their strong desire to maintain the status quo. The labor turnover on Boston newspapers has always been one of the smallest in the country, due to the antipathy of workers toward change. Most would rather remain where they are than take advantage of a higher position on another paper. The reasons for this have never been adequately explained but statistics prove its truth. Many Boston newspapermen remain with the same paper during all their working years. This seldom happens on the

newspapers of other large cities. Because of this feeling many were not willing to risk joining the Guild.

Most of the arguing and convincing was done during evening meetings of all interested editorial employees. Some of the earliest meetings were held at the Headline Club, a speakeasy in Boston, and many of the discussions lasted well into the morning. Arguments were heated and lengthy and progress was slow, a fact which discouraged some of the originators of the movement.

The editorial department of the Herald-Traveler was the first to designate the Guild as its bargaining agent. The Guild won over a majority of the employees and an election was held according to the provisions of the Wagner Act. When the results were announced the labor board recognized the Guild as the official bargaining agent for the editorial employees.

Contract negotiations were immediately begun and on December 21, 1936, the first Guild contract in Boston was signed by Harold Wheeler, executive editor, on behalf of the Boston Herald-Traveler Corporation, and by Edward Allen, president of the American Newspaper Guild of Boston, on behalf of the Guild.

Provisions of First Contract. The Herald-Traveler contract became effective the day it was signed and remained in effect for one year.

The second provision of the contract referred to hours. It provided for a 40-hour week not to exceed six days for all editorial employees except cartoonist, columnists, editorial writers, district men, heads of departments, secretaries to executives, financial statisticians, big board and curb and bond clerks.

The third provision referred to overtime. It provided that an editorial employee would receive for overtime, additional pay at his regular rate calculated on an hourly basis, or he would receive a corresponding number of hours off with pay. It also provided that time spent traveling to and from assignments located not more than 125 miles from Boston would be considered part of the working day.

Provision was also made for vacations in the contract. Workers employed less than one year were given one week's vacation. Those employed more than one year with holidays off were given a two-week vacation while those employed more than a year and who worked holidays were given three weeks vacation every year.

To provide for the worker in case of illness, the contract stipulated that all editorial employees would be covered

by Workmen's compensation Insurance. The contract also stated that if any employee were injured through accident in the course of duty without serious or wilful misconduct on his part, and the employee was not able to work for any period of time not to exceed five years, then it would be the policy and intention of the Herald-Traveler, although it assumed no obligation to do so, to supplement the insurance compensation from its own funds so that the employee would continue to receive his regular pay. In addition an employee employed less than two years would receive his regular wages in case he was out due to illness for not more than one week. A person employed for from two to three years would receive his regular wages for two weeks and if employed more than three years he would receive his regular wages for six weeks if out due to illness.

The sixth article of the contract referred to discharges and resignations. It provided that the Herald-Traveler would not discharge or discriminate against any worker because of Guild or union membership and activities. It also stated that the Herald-Traveler Corporation would be the sole judge of competency in editorial employees. If an employee were discharged for gross neglect of duty he would receive no indemnity, but otherwise he would receive one week's salary if employed less than two years, two week's if employed from two to three

years, and six week's if employed for more than three years. Also, the contract required two week's notice from any editorial employee desiring to quit.

Minimum weekly wages for every editorial employee were set down in writing in the contract. A general idea of their limits may be gained from the fact that beginning copy editors, make-up men, rewrite men, news writers, drama writers, feature writers, photographers, editorial artists, editorial writers, editorial retouchers and layout men all received \$25 a week. After five years the minimum weekly wage was \$45 for the same employees.

The last provision of the contract guaranteed that there would be no downward revision of salaries of any employee then receiving more than the minimum.

According to newspapermen belonging to the Guild at the time, the minimum salary stipulated in the contract was usually the maximum.

Considering that the Boston Herald-Traveler Corporation is largely owned by the United Shoe Machinery Corporation and closely affiliated with the First National Bank of Boston, and is known as the wealthiest newspaper in New England, the provisions of the contract were meagre enough. But the Guild felt that they had gained a foothold which would lead to future

⁷¹ Seldes, op. cit., pp. 225, 226

contracts more beneficial to the employees.

Negotiations on the Boston Transcript. The Transcript, until its demise in 1939, had the reputation of being the journal of the Brahmins in Boston. It was extremely conservative in headlines and make-up, quite the opposite of all Boston newspapers today with the exception of the Christian Science Monitor. It was the only newspaper in the country⁷² in which a reader could find a headline such as the following:

INERTES, IGNAVE FUIMUS: OPERAE PRETIUM FUIT

De Praeteritorum Memoria per Annos
Quaetor in Collegio Harvardiensi

At the time the Guild was organizing in Boston, the Transcript was slowly going bankrupt. Its circulation was small, being confined to the wealthier, more educated classes. Because of its higher class readership, most of the Transcript advertising was specialized, luxury items. With the depression, this type of advertising fell off sharply with the result that the Transcript management had difficulty making ends meet. Workers were fired and the wages paid were the lowest on Boston newspapers. Consequently, Transcript workers were particularly anxious for the raises they thought the

Guild might achieve for them.

Negotiations proved that the Transcript was absolutely unable to pay wages even comparable to those called for in the Herald-Traveler contract. Guild policy requires that contract standards must be maintained since they believe that if standards are lowered for one publisher then other publishers will point to the sub-standard contract and ask why they should pay more or provide better working conditons. Consequently, the Guild could not then negotiate a contract with the Transcript (although they did later) but they were able to reach an agreement. In a notice to employees published January 4, 1937, the Transcript management promised its editorial employees a modified version of some of the provisions found in the Herald-Traveler contract.

The Globe Contract. Shortly after the Guild negotiated its first contract on the Herald-Traveler the Globe management gave raises to all editorial employees to keep them on a par with what workers were getting under contract. (Previously their pay had been cut twice.) So anxious was the Globe management to keep the Guild out that in many cases the wages paid were higher than Herald-Traveler employees were getting with their contract. Thus, even before Globe editorial employees had a contract of their own, they were in-

directly benefiting from the Guild. Since Globe employees had always had job security and pleasant working condition, although no large salaries, the Guild, in many cases, found it difficult to enlist employees in the ranks of their organization.

In the beginning of 1937, the Guild unit at the Globe gained a majority in the editorial department and the Guild became bargaining agent for the employees. In March, the first Globe contract was negotiated by the Guild. The concessions granted by management to the employees were a little better than those granted by the Herald-Traveler. One important difference was the five-day week which Globe employees negotiated as against the Herald-Traveler six-day week. Since the contracts were negotiated at different times and consequently did not come up for renewal at the same time, the Guild was able to use this to advantage in bargaining by comparing contracts. Each unit held up the gains of the other when bargaining with the publisher.

Guild Operations at the Globe After First Contract.

When the first Guild contract at the Globe expired in March, 1938, the Guild had affiliated with the CIO and had begun organizing vertically. Before its second contract was negotiated the Guild unit at the Globe was able to enlist

the maintenance department in its ranks. Thus the second contract covered both the editorial department and the maintenance department.

During the second year the unit tried to organize the business department, but they were not very successful. They finally hit upon a plan whereby the business, maintenance and editorial departments would vote together on whether they would designate the Guild as their bargaining agent. This plan was instigated by the editorial department where the Guild had a clear majority. The leaders believed that the majority in the editorial and maintenance departments would outweigh the minority in the business department and by voting together, the three departments would have a majority in favor of the Guild.

Before this plan could be used it had to be approved by the National Labor Relations Board in Washington. This was accomplished by a 2-1 vote, the Labor Board agreeing that if a majority of the employees of a shop designated the Guild as their bargaining agent, then the Guild should represent all the employees.

This was a significant development in the history of the Guild for the favorable decision by the Labor Board made it possible for the plan to be later used by many other units

in securing Guild shops.

Having overcome the first major obstacle, the Guild campaigned strenuously for the votes it would need to gain a majority in the election at the Globe. Many of the employees in the business department were not anxious to be organized. They believed that the Guild was run by red sympathizers and wanted no part of it. (This was an accusation often made against the Guild as it was made against many other labor organizations. There is little doubt that there were red sympathizers in the Guild but there was no basis for the accusation that the Guild was run by them.) When the election was finally held the plan backfired and the Guild was not able to obtain a majority. Thus it was no longer the bargaining agent for either of the three departments. Although the labor board decision was used to advantage by the Guild in carrying out the same plan in other parts of the country, the results were a bitter blow to Guildsmen at the Globe.

Shortly thereafter some Globe employees organized an Employees' Association to take the place of the Guild. Since 1938, when the Guild experienced this setback, two more elections have been held at the Globe, all won by the Employees' Association, an independent union. There is still a Guild unit in the editorial department of the Globe, but it is powerless. However, it serves as a watch dog for management,

ready to take control again should the Employees' Association not be able to reach equitable agreements with employers.

Strike Vote at Herald-Traveler. When their first contract expired at the Herald-Traveler the Guild asked that wage increases be included in the new agreement. Management replied that business conditions made it impossible. While investi-⁷³gating this objection the Guild discovered that the corporation had a surplus of \$5,035,401 in 1936 and paid \$1,000,000 in dividends in 1937. Also, it found that the corporation's net profits had been running from \$600,000 to \$900,000 during the depression years. After examining these figures, the Guild voted to strike, with 105 members in favor as against 19 opposed. Before a strike can go into effect it must be approved by the local and the National Executive Board, according to the Guild constitution. While the case was being examined by these two groups the Herald-Traveler management decided to grant the wage increases and a new contract was⁷⁴ signed, giving the employees \$100,000 a year more. Included in this contract were the building and maintenance departments which united with the Guild after it had affiliated with the

⁷³ Seldes, op. cit., p. 225

⁷⁴ Loc. cit.

CIO at its 1937 convention. Since this contract was signed every department at the Herald-Traveler that did not have its own union has joined the Guild, making the Herald-Traveler unit the largest in Boston and the only one which has carried through the Guild aims of vertical organization to their limit.

The strike vote at the Herald-Traveler in 1938 is the only one that has ever been taken by the Guild in Boston.

Record-American and the Guild. The Guild faced a difficult problem in organizing Hearst's two Boston papers, the Daily Advertiser (morning) and the American (evening). On these papers the Guild found "a group of Hearst men who be-
⁷⁵lieved in the Hearst propaganda." These men were almost as strongly against the Guild as Hearst himself. A unit was started in the editorial and business departments but it never negotiated a contract. It was not until the editorial employees quit the Guild that the business employees were able to gain a majority and make the Guild their bargaining agent. On December 19, 1938, the Guild negotiated a contract on behalf of the business and circulation departments of the Record-American and Advertiser (Sunday paper).

The event which had the greatest effect in turning the editorial employees of the Record-American against the Guild was the resolution passed by the 1937 convention denouncing Fascism and encouraging the Spanish Loyalists.⁷⁶ This came at a time when Hearst was violent in his denunciations of Loyalist Spain. Most Record-American editorial employees followed the Hearst line and were indignant that the Guild should encourage the Loyalists.

One of the thousands of volunteers who came to the aid of Loyalist Spain was Ben Leider, an aviator and a Guildsman. Leider was shot down while fighting the Fascists and in his memory a Ben Leider Memorial Fund was set up. Heywood Broun, president of the Guild, asked all units to contribute. The Record-American Guild replied with a countersigned letter⁷⁷ from Henry Benwell which said in part:

"I am going to mind my own damn business....The late Mr. Leider may have been a hero but the fact he gave his life fighting for Spanish Communists is nothing for American newspapermen to get excited about.... It seems to me it is going to be difficult to put ourselves over with publishers if we openly align ourselves with Reds whose avowed purpose it is to overturn capitalism...."

In December, 1937 the editorial department of the Record-American quit the Guild and joined the American Federation of Labor. Pleas from the Hearst Guild units in New York went

⁷⁷ Seldes, loc. cit.

unnoticed and members of the Boston local were not allowed to speak at Record-American editorial employee meetings. In November, 1938, an agreement was made between the management of the Record-American and Advertiser and the American Federation of News Writers, Reporters, and Editorial Workers, #21432. (This was the union which the AF of L founded after the Guild left to affiliate with the CIO.)

Today the Guild represents only the business and circulation departments of the Record-American and Advertiser.

The Post and the Guild. Another difficult paper for the Guild to organize was the Boston Post, a morning paper. The publisher wanted to keep the Guild out and since working conditions were fairly good on the Post editorial workers satisfied themselves by forming an independent union called the Employees' Association and did not bother with the Guild. However, the Post editorial employees did use the Guild as a club, threatening to join whenever they did not obtain their demands in negotiating for a contract. Thus the Guild, as in so many other cases, indirectly helped the Post employees even though they latter were not members. Because of the Guild, the Post editorial employees were able to bargain for contracts that were equal to, and sometimes better than, Guild contracts. The editorial department, after much

discussion, finally joined the Guild and now has a Guild contract, but the business department has always voted against it.

Principal Provisions of the 1948 Herald-Traveler Contract.

In order to realize the gains made by the Guild since the first contract was negotiated in 1936, one need only compare the present Herald-Traveler contract with the 1936 contract. ⁷⁸ Following are the principal provisions of the contract:

Wages: A general idea of the minimums set forth in the contract may be gained by examining those of commercial and editorial artist, drama writers, editorial district men, fashion writers, feature writers, financial statisticians, photographers, reporters and sports reporters, all of whom receive a minimum weekly salary of \$44.50 the first year, \$59.50 the second year, \$69.00 the third year, \$78.50 the fourth year, and \$96.75 the fifth year.

Article III, Hours and Overtime, provides that all employees covered by the contract with the few exceptions noted shall work a forty-hour week and an eight-hour day. All overtime shall be paid at the rate of time-and-one-half. Overtime adjustments shall be made for out-of-town overnight assignments. Normal working days and hours shall be kept and a worker shall be given a week's notice if he is to be changed

from the day to the night shift or from the night to the day shift except in the case of emergency. Work performed outside an employee's regular scheduled hours shall be paid for at time-and-one-half.

In regard to expenses, the contract states that the publisher shall pay all legitimate expenses incurred by an employee in his service.

Article V, Security, provides that the publisher will meet the Guild Standing Committee within three days of being requested to discuss any matter arising from the application of the contract or affecting the relations of the publisher and employees. This article also provides that the publisher shall give an employee one week's notice of his contemplated discharge except in cases of gross neglect of duty or gross misconduct while on duty.

Holidays provided for in the contract are January 1, February 22, Memorial Day, July 4, Labor Day, Thanksgiving Day and Christmas Day. Each of the weeks on which one of these days fall an employee shall be required to work only 32 hours. If he is required to work a fifth day, he shall be given another day off mutually agreed upon.

Article VII, Severance, provides that if an employee is discharged for gross neglect of duty or gross misconduct while on duty, he shall receive no severance pay, but in all other

cases he shall receive an indemnity. The severance pay is graduated from one week's earnings after six months' service to 38 week's earnings after 180 months of service. The week's earnings shall be computed on the basis of the highest weekly wage received in the six months immediately preceeding the discharge. This article also states that any employee may retire voluntarily after 25 years of service and receive his indemnity. This indemnity will also be paid in the event of the death of any employee. In addition, if an employee dies his beneficiary shall receive \$1,000. It is also provided in this article that a publisher, instead of giving severance pay, may place the employee on a retired list at a mutually satisfactory monthly pension rate.

Concerning vacations, the contract provides that an employee shall be given one week's annual vacation with full pay after six months' service and two weeks after one year's service. After five year's service an employee shall be entitled to an additional week's vacation with pay in the winter.

Article IX, Illness, states that an employee shall not forfeit any part of his pay because of absence on account of illness up to and including at least one week's time in any calendar year. Further sick leave may be granted at the discretion of the publisher. In addition, the contract provides that in the event of an illness or incapacitation arising out

of and in the course of his employment, an employee shall receive sick leave with full pay for the entire duration of the illness or injury. Amounts which an employee receives as Workmen's Compensation shall be credited against his pay. (Publishers have always been extremely liberal with this provision.)

According to the contract leaves of absence for good and sufficient reasons in the opinion of the publisher shall be granted, and they shall not be construed to be a termination of employment in calculating continuity. However, they shall be deducted in computing severance pay.

In article XIII, the contract states that an employee shall be free to engage in any political, professional or union activity outside of working hours except that he cannot use the name of the publisher or his connection with the publisher.

Also stated is the fact that an employee has the right to refuse the use of his name in a by-line.

Some of the major differences noted between this contract and the first contract are:

1. A five-day week instead of six and regular hours.
2. Time-and-one-half for overtime instead of regular hourly rates.
3. Three week's vacation after five years instead of

- two, and guaranteed time off for holidays.
4. Guaranteed full pay during time off for illness incurred in the course of duty.
 5. Increasing severance pay for men working more than three years.
 6. Increases in minimum weekly wage of from \$24.50 to \$51.75. Top minimum now is \$120.
 7. An employee can now be granted leave of absence.
 8. An employee can now engage in political, professional or union activities outside of working hours.

Local Statistics. The Boston local of the Guild (Local #32) is empowered to make such laws and regulations for the government of its organization and treasury which are not contrary to the spirit and letter of the ANG constitution.

Membership in the Boston local as of December 1, 1948 was approximately 1,000. As of today ten units constitute the local (i.e., Herald-Traveler, Post, Record-American, Globe, UP, AP, INS, INP, Associate, and At Large).

According to Article II, Section I, of the 1948 Guild constitution those eligible for membership are:

"Any person gainfully employed in and devoting the major part of his working time to an editorial, business, circulation, promotion or advertising department, or kindred groups of employees, of a news or news feature publication in the United States of America, its ter-

ritories, or Canada; or in similar work for a recognized press association, news photo agency, syndicate supplying editorial material to newspapers which pay for the service, news ticker service, newsreel company, radio news service, radio news broadcasting company, television news service and television broadcasting company...."

A few other special cases are given, the most noteworthy being:

"Students of accredited colleges majoring in journalism, or associated with college news publication, and teachers of journalism in such colleges or students preparing for journalism as a career shall be eligible for associate memberships."

The principal purpose of associate memberships is to give students of journalism the opportunity to become acquainted with the Guild and with working newspaper people.

Each of the Boston units referred to elects its own officers, usually chairman, treasurer, executive committee and secretary. The officers are elected by members at open meetings. The officers and the executive committee act on behalf of the membership between meetings.

The Boston local functions through an executive committee consisting of the president, vice president, secretary, treasurer, unit chairmen and other elected members of the committee. It conducts elections and referenda, oversees expenditures, passes on applications for membership, and in general carries on the business of the local, subject to the orders of the membership. In all this the local has the active advice and assistance of the national office and of the Guild's paid staff of representatives.

CHAPTER VI

APPRAISAL OF THE GUILD

79

Today, there are more than 25,000 members in the Guild. They belong to more than 100 local organizations throughout this country and Canada and work under the provisions of some 220 contracts. Approximately half of the total daily newspaper circulation in the United States is issued by newspapers under Guild contract. This includes all of the nation's major wire services, all the major news magazines, and most of the major picture and feature magazines.

Some of the major improvements brought about by Guild contracts are:

1. Five day, 40-hour week.
2. Eight-hour day.
3. Time-and-one-half for overtime.
4. Vacations.
5. Sick leave.
6. Severance pay.
7. Equitable handling of grievances.
8. Protection against unjust firings.

Guild contracts negotiated during 1947 brought wage increases of \$13,500,000 annually to 22,000 newspaper workers--an average raise of about \$11.80 a week.

On some papers the Guild has negotiated contracts with

~~79 These figures are substantiated by records held at~~

\$100 the minimum weekly wage of experienced reporters. This is a far cry from the days shortly after the Guild's birth when a survey was made which showed that the average reporter, after 20 years of service, received only \$38 a week.⁸⁰

The Guild is still far from popular with publishers although since the Guild has become so firmly entrenched, they have come to accept it and make the best of what most of them consider a bad situation. The Guild might now be said to have become a member of the newspaper family.

The gains the Guild has made have come only through struggle, and the progress has been slow. Even after 16 years of continual effort the Guild still has a long way to go before it can honestly say that it has achieved everything it set out to do. For instance, the Guild still believes that it is the working newspaperman's responsibility as well as the publisher's to maintain the integrity of the press and to see that the public is kept fully and honestly informed. Because of the urgency of raising wages and bettering working conditions the Guild has not been able to devote itself to the raising of professional standards. It has tried to make the

most Guild local offices or at the national headquarters in New York City.

⁸⁰ Heldt, Henning, "The End of a legend," *Newsmen's Holiday*, Harvard University Press, Cambridge, Massachusetts, 1942, p.85

newspaperman's standard of living approach a professional level⁸¹ but, outside of the Code of Ethics adopted at the 1934 convention, it has done little else as yet. On a few newspapers the Guild has started classes to discuss journalistic problems but, as yet, this is still in an experimental stage.

Today, as when it began, the Guild does not seek any role in managerial decisions. This was clearly stated by Milton Murray, then president of the ANG, at the 1947 convention of the American Society of Newspaper Editors when he⁸² said:

"....the American Newspaper Guild does not seek, it does not desire, to dictate or control the editorial policy or the editorial content of news publications or news broadcasts.

In this connection I have repeated proudly time and again the report that emanated from one of your previous sessions, that when the question was raised, not a single editor could point to an instance where a reporter's Guild affiliation had resulted in tainted reporting of news."

To insure that Guild members will not in any way be influenced in what they write by the union, it is stated in the Guild constitution (Article II, Section 8):

"No eligible person shall be barred from membership or penalized by reason of sex, race, or religious or po-

⁸¹ See page 42

⁸² "Proceedings Twenty-Fifth Anniversary Convention American Society of Newspaper Editors," April 17-19, 1947, published by ASNE, p. 173

litical convictions, or because of anything he writes for publication."

Louis Stark, writer on labor and industrial relations attached to the New York Times, gives his opinion of a union influencing the writing of members in the book, "Freedom of the Press Today."⁸³

"A union which uses its power to let its writers know that its policies must be taken into account sufficiently for them to depart from objective standards of reporting is as culpable in subverting a free press as is a publisher who directly or indirectly conveys to his staff that his views, opinions, and interests require a 'slant' in the news columns.

.....
 "A capable, trained reporter can write an objective story on a controversial subject no matter how close it may be to his own interests."

Today, with publishers claiming that some employees are not worth the wages demanded in the contract, the Guild's answer,⁸⁴ in the words of its president, is:

".....Your desire, I assume, (management's) is to have competent and capable staffs. Our desire is that those competent and capable staffs shall be paid appropriately, and I assure you that we have a high regard for the newspaper industry. But if you fail, for whatever reason, to assemble a high caliber staff, you make it increasingly difficult for us to raise wages to the level they should reach. That seems to be a very demonstrable argument in some cases, and the Guild demands exceed the merits of the people for whom they are bargaining, and my point to you is that you are the ones who hired those people. You are the ones who put

⁸³ Specialists with Introduction by Harold L. Ickes, "Freedom of the Press Today," The Vanguard Press, New York, 1941, p. 235
⁸⁴ "Proceedings.....," op, cit., p. 174

them on the staff and said that they were newspaper people --not us. We have had no control over it. So, on this problem the Guild and its members are doing some thinking, and don't be surprised if we make some suggestions. I would be quite pleased at some suggestions that I think you properly could make."

Again on the subject of wages, nine Nieman Fellows writing of journalistic problems while at Harvard had this to say
85
in their book, "Your Newspaper."

"In Boston a political reporter remarked to us that while it was a 'fine ideal' to prohibit political reporters from doing side-line promotion jobs, it was too much to ask them to turn down fifty dollars a week-- nearly as much as their salaries-- for making a few 'phone calls or writing publicity for a politician. It is the custom of some state administrations to offer reporters secretaryships on recess committees, a lucrative job which hardly leaves them free to criticize. In many states, expensive gifts are handed out to reporters at the end of legislative sessions. This is a very real hazard to the integrity of political reporting and will continue to be until the reporters are paid better salaries by their newspapers."

Professor Harold F. Clarke of Columbia University found that the lifetime earnings in the following job classifications averaged as follows: medicine, \$108,000; law, \$105,000; dentistry \$95,400; engineering, \$95,300; architecture, \$82,500; journalism, \$41,500; ministry, \$41,000; skilled trades, \$28,600;
86
unskilled labor, \$15,200.

85

Svirsky, Leon and 8 Nieman Fellows, "Your Newspaper," The Macmillan Company, New York, 1947 p. 14

86 Foreword to booklet on the Constitution of the American Press Society, published by the Society.

From the foregoing it can be seen that with all the salary advances made by the Guild, the pay of a journalist still does not compare with that received by men in other professions. While wage advances made by the Guild seem impressive, it must be remembered that wages for all jobs advanced at a tremendous rate during the period, and consequently, the relative position of the newspaperman as a wage earner in comparison to other job classifications has not changed as much as might be suspected. Considering the education required of a good newspaperman, he is still low-paid. The Guild intends to go on trying to remedy this situation. And as former Guild president Milton Murray pointed out, the concentration on achieving higher wages will indirectly raise the standards of journalism since publishers will be forced to hire men that are worth these higher salaries.

Another objective which the Guild is still trying to attain is outlined by Frank J. Walin, President of the Sabine-Neches Newspaper Guild at Beaumont, Texas. Wallin
87
writes:

"What I would like to stress is that we, as Guild members, must gain the confidence of management by producing. We have to show them that Guild members are good newspapermen and in return for good salaries will produce good copy. I may sound a bit idealistic,

but I firmly believe that we have a definite responsibility to do good work. If one of our members is not producing, it is up to one of us tactfully to let him know about it.

"Other unions have gained the confidence of management by providing helpful suggestions on production and other problems through thorough, competent surveys of their businesses. As newspapermen we also are in a position to do so. If we as Guildsmen can convince management that we want to put out good papers in return for decent living wages, I believe our cause will be helped materially. Comparatively speaking, the Guild is a youngster and management still distrusts it. We have to banish this distrust and replace it with confidence."

One of the most important accomplishments of the Guild is its serving notice to management that they cannot step on the workers. It has brought about the realization by management that the workers are an important cog in the machine and that they must be respected as such. Through the Guild, newspapermen have asserted themselves and proved to management the advantages of co-operation. Management has come to realize that most newspapermen are far above the average worker in intelligence and, given half a chance, they can raise themselves and the industry to new heights of integrity and public service. If and when management really begins to co-operate with the newspaper employees, the greatest need for the Guild will be ended.

Not only has the Guild improved the wages and working conditions of its own membership, but it has also helped all other newspapermen. As has been noted before, many newspapers

without a Guild unit have been forced to follow Guild negotiated wages in order to satisfy their employees and keep them from turning to the Guild for aid.

The coming of the Guild has partially destroyed the romantic notion held by some newspapermen that they were in a profession. Newspapermen will probably always strive toward that goal, even though they know themselves to be only skilled white-collar workers who have adopted the methods of other skilled groups to improve their economic status.

One thing the Guild has done is to increase the self-respect of the individual newspaperman. In the words of Bruce Bliven, "...the Guildsman knows that he can no longer be fired at the whim of the boss or because he refuses to do anybody's dirty work."⁸⁸

Perhaps the words which best state the attitude of the Guild are those spoken by Milton Murray two years ago but just as true today. He said: "We have made mistakes and we will make more. We have taken lickings and we will take more. But the American Newspaper Guild, now in its fifteenth year, is a vital, living force in the newspaper world."⁸⁹

⁸⁸ Bliven, Bruce, "Balance Sheet of American Journalism," The New Republic, Vol. 104, March 10, 1941, p. 334

⁸⁹ "Proceedings..." op. cit., p. 175

BIBLIOGRAPHY

A. BOOKS

- Bird, George L., Merwin, Frederic E., "The Newspaper and Society," Prentice-Hall, Inc., New York, 1942
- Broun, Heywood, "It Seems To Me 1925-1935," Harcourt Brace and Company, New York, 1935.
- Gerald, J. Edward, "The Press and the Constitution 1931-1947," University of Minnesota Press, 1948.
- Gramling, Oliver, "AP-The Story of the News" Farrar and Rinehart, Inc., New York, Toronto, 1940.
- Heldt, Henning, "The End of a Legend," Newsman's Holiday, Harvard University Press, Cambridge, Mass., 1942
- Ickes, Harold L. and 28 Specialists, "Freedom of the Press Today," The Vanguard Press, New York, 1941.
- Labor Research Association, Labor Fact Book, International Publishers Company, Inc., 1939.
- Levinson, Edward, "Labor on the March," Harper and Brothers, 1938.
- Lee, Alfred M., "The Daily Newspaper in America," The Macmillan Company, New York, 1937.
- MacDougall, Curtis D., "Newsroom Problems and Policies," The Macmillan Company, New York, 1941.
- Mott, Frank Luther, "American Journalism," The Macmillan Company New York, 1947.
- National Labor Relations Board, Division of Economic Research, Collective Bargaining in The Newspaper Industry (Washington, D.C.: U.S. Government Price Office, 1939).
- Proceedings Twelfth Annual Convention American Society of Newspaper Editors, April 19-21-, 1934.
- Proceedings Twenty-Fifth Anniversary Convention American Society of Newspaper Editors, 1947.
- Seldes, George, "Lords of the Press," Juliam Messner, Inc., New York, Third Edition, 1939.

Svirsky, Leon, and 8 Nieman Fellows, "Your Newspaper," The Macmillan Company, New York, 1947 .

B. PERIODICAL LITERATURE

Alexander, N., "Not Fit To Print," Nation, Vol. 140, January 16, 1935, pp. 75-77.

Anonymous, "A Picture of Our Effects on Standards," The Guild Reporter, Vol. 7, March 15, 1940, p. 3.

_____, "Code Fight:NRA Reopens Guild Case," Newsweek, December 15, 1934, p. 26.

_____, "Press's White Collars Join Up With Labor's Overalls," Newsweek, June 6, 1936, p. 38.

_____, "Reporters Torn Between Union and Professional Society," Newsweek, June 15, 1935, p. 15.

_____, "AP v. Guild," Time, June 29, 1936, pp. 32-3.

_____, "Newshawks Union," Time, June 8, 1936, p. 24.

_____, "Guilded Age," Time, April 19, 1937, pp. 49-51.

_____, "ANG to CIO," Time, June 21, 1937, pp. 60-61.

_____, "Labor Board Wins In Associated Press Case," Business-week, July 18, 1936, pp. 12-13.

_____, "Newspaper Guild Attains Man's Stature," Literary Digest, Vol. 118, July 28, 1934, p. 30.

Basset, Warren L., "Guild Votes to Become Labor Union," Editor and Publisher, Vol. 69, June 6, 1936.

Bleyer, Willard G., "Britain Points the Way," The Quill, October 1933, p. 6.

Bingay, Malcolm W., "An Editor's Case Against the Guild," Editor and Publisher, Vol. 70., June 26, 1937, p.12.

Bliven, Bruce, "Balance Sheet of American Journalism," The New Republic, Vol. 104, March 10, 1947. p. 354.

Bliven, Bruce, "Union Card Journalist," The New Republic, Vol. 88, September 8, 1936.

- Bordner, Robert, "Why We Organized, " The Quill, Vol. 22, February, 1934, p.3.
- Bradenburg, "Newspaper Guild Adopts Ethics Code," Editor and Publisher, Vol. 67, June 16, 1934, pp. 7, 41.
- Broun, Heywood, "An Army With Banners," The Nation, Vol. 140, February 13, 1935, p. 184.
- Broun, Heywood, "Question of Affiliation: American Newspaper Guild and American Federation of Labor," Nation, April 24, 1935, Vol. 140. pp. 484-5.
- Cole, Percy T., "Guild Idea Praised By Blumenfeld," Editor and Publisher, Vol. 66, December 16, 1933, p. 5.
- Dinneen, Joseph F., "Good-By, Boys, I'm Through," Saturday Evening Post, August 3, 1940.
- Fleeson, Doris, "Our Guild," Matrix, Vol. 19, April 1934, p.3.
- Gilfillan, R. S., "The Guild Viewpoint," Journalism Quarterly, Vol. 12, March 1935, pp. 53-59.
- Keating, Isabelle, "Reporters Become of Age," Harper's Magazine, Vol. 170, April 1935, p. 601.
- Nicolet, C.C., "Newspaper Guild," American Mercury, Vol. 39, October 1936, p. 186-92.
- Pringle, Henry F., "The Newspaper Guild," Scribner's, Vol. 105, January 1939, p. 21.
- Scribner, John, "Newswriters vs. the N.R.A. "The New Republic, Vol. 79, July 4, 1934, p. 200
- United States Supreme Court, 301, U.S. 103, "Associated Press v. NLRB," (1937).
- White, Lloyd, "Genesis of the Guilds," The Quill, Vol. 21, November 1933, p.5.

COLLECTIVE BARGAINING PROGRAM

of the

AMERICAN NEWSPAPER GUILD

Adopted by the Fifteenth Convention,
San Francisco, June 28-July 2, 1948

A contract between the Guild and a publisher is a listing of the rights and privileges--other than the rights already adequately protected by law--which are guaranteed to the employees by the publisher. Statements of the legal right and prerogatives of the publisher have no place in the contract, nor is any contract language permissible which implies that acts of individual employees can be construed as contract violations. The contract should cover all points of agreement, and leave none to "side" or "secret" agreements or "understandings."

1. FORM: Parties to any contract shall be the local Guild or the ANG, on the one hand, and the publisher or publishers, their successors and assigns, or the other. In no event shall a unit be party to a collective bargaining contract. Guild jurisdiction shall be covered by a single contract with provisions uniform for all departments. Where one division of the Guild's jurisdiction is already under contract, the other division shall be covered by a contract supplemental to the existing contract and expiring at the same time.

2. FIVE-DAY, THIRTY-FIVE-HOUR WEEK: The work week in any contract shall consist of no more than five days of seven hours each.

3. HOLIDAYS: Six recognized holidays shall be observed in each calendar year. Employees required to work on any holiday shall receive compensation of not less than eight hours' pay at time and one-half in addition to their regular weekly pay.

4. OVERTIME: Compensation for overtime shall be in cash on the basis of not less than time and one-half. A true record of all overtime shall be kept by the publisher and the information made available to the Guild at payroll intervals. Normal working days and working hours shall be regularly scheduled, and work required at hours not scheduled shall be compensated for at time and one-half in cash. Premium pay in cash shall be

paid for Sunday work.

5. MINIMUM WAGES: Minimum wages shall be established for all categories of employees covered by the contract, and such that they will not injure the collective bargaining position of another local or the ANG. Proposed increases upon renewal should be aimed at raising the general level of the wage structure toward the National Wage Program goal of \$160 per week for reporters and similar key classifications, and a minimum of \$50 for any experienced adult worker (in terms of 1948 dollars). All increases shall be added to the minimums. Experience requirements for top minimum in any classification shall be no more than three years, and for clerical and commercial office jobs they shall be no more than 18 months.

6. GUILD SHOP: All employees to be members of the Guild. Those not members of the Guild at the signing of the contract to become members within 30 days. New employees to become members of the Guild within thirty days of their employment. Guild members must remain in good standing for the duration of their employment. All Guilds should refuse management offers which do not contain a provision for union security.

7. SEVERANCE PAY: Employees shall receive, upon termination of employment, severance pay in a lump sum, computed on a gradual scale based on length of service. Severance pay shall be payable to the estate of an employee upon death. Severance pay also to be payable upon retirement at the employee's option only. In no event shall the severance pay scale be such that it will injure the collective bargaining position of another local or of the ANG. There shall be no restrictive qualifications or ceilings.

8. VACATIONS: Annual vacations of at least four weeks with pay shall be granted.

9. SICK LEAVE: Sick, disability and maternity leave with full pay shall be granted all employees.

10. GUARANTEES: The right to question dismissals shall not be waived in any contract and all contracts shall provide advance dismissal notice, and protection against unjustified firings, such protection to cover both dismissals allegedly based on behavior of individuals and dismissals allegedly based on management's need to economize. Economy shall not be considered just and sufficient cause for dismissal. No dismissal as a result of the contract, and no pay cuts during the life of the contract.

11. NO DISCRIMINATION: Contracts shall guarantee against discrimination because of race or sex.

12. DURATION: Contracts shall be limited in duration to one year, and no automatic renewal clauses shall be included nor shall a contract extension clause, without complete retroactivity, be included. Contract for periods longer than one year shall be avoided, even with wage reopening provisions.

13. ARBITRATION: No contract shall provide for compulsory arbitration.

14. NO-STRIKE CLAUSE: No contract shall contain a no-strike clause.

15. OUTSIDE ACTIVITY: Employees shall be free to engage in any outside activity without permission from the publisher.

16. TRANSFERS: Wire service and chain newspaper contracts and those for newspapers maintaining bureaus in other cities than those of publication shall provide that transfers shall not be made without consent of the employee; shall be made without reduction in wages or benefits and shall be made with payment of transportation and other moving expenses of the employee and dependent members of his household.

17. WAR SERVICE: It is important that locals obtain contractual protection for individuals who leave their jobs for marine (merchant) or for service in the armed forces of the United States, its states, territories and federal districts, and all adjuncts of those services. Also that the same contractual protection be sought for all who are called into government service or war industry, or who are released from their jobs as a result of any government order or ruling.

Locals shall arrange to obtain continuous status records for all employees, designating:

1. Which job or jobs have been vacated by permanent employees on leave;

2. Which employees are replacements;

3. Which replacement employees have been appointed to fill the positions of permanent employees;

4. Whether and when a replacement employee replaces another replacement employee.

All contracts should contain provision that employees returning from war service shall be reinstated at the salary which they would have received if their service with the publisher had been continuous.

Employees on leave for military service or the merchant marine shall receive full credit for time spent in such service for the purpose of computing severance pay, experience rating and length of service increases; and shall receive pay in lieu of annual vacation during such leaves.

All contracts should provide full protection for employees substituting for those on leave, covering the following points:

Replacement employees should have the same protection as regular employees except for military leave; the protection to include preference in filling vacancies, severance pay if inducted, and preference in rehiring after the war.

18. SENIORITY AND REHIRING: All contracts shall contain a clause recognizing seniority in job tenure and rehiring.

19. LIMITATION OF APPRENTICES: Apprentices shall be limited to a percentage of the total number employed in any one classification, without dismissing any already employed to achieve this percentage.

20. CHECKOFF: All contracts shall provide for checkoffs for dues and assessments.

21. GUILD LEAVES: All contracts shall provide for leaves of absence for persons while engaged in work for the Guild or the CIO.

22. NIGHT DIFFERENTIAL: Extra compensation shall be paid for any schedule requiring work between the hours of 6:00 p.m. and 6:00 a.m. based on a percentage of weekly pay or as may be otherwise specified.

23. INCREASES ABOVE MINIMUMS: A plan shall be established by contract for automatic increases, based solely on length of service with the employer for each classification where job tenure is a normal factor in fixing compensation. There shall also be a contractual commitment to establish a merit increase fund from which individual increases shall be made in recognition of special talent, skill or additional responsibilities. Employees hired at or promoted to a rate below the top minimum for their classification shall be considered to have the experience rating which conforms to their rate of pay.

DATE DUE

BOSTON UNIVERSITY



1 1719 02564 4552

GAYLORD

PRINTED IN U.S.A.

Thesis

1949

Lovell, Joseph Warren

A historical study of the
American newspaper guild

Thesis

1949

Lovell, Joseph Warren

A historical study of the American
newspaper guild particularly as
exemplified in Boston



